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DOCUMENTS

OF THE

ASSEMBLY

OF THE

STATE OF NEW YORK

ONE HUNDRED AND FORTY-FIRST SESSION

1918

VOL. I.—NOS. 1 TO 6, INCLUSIVE

ALBANY
J. B. LYON COMPANY, PRINTERS
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STATE OF NEW YORK

No. 1

IN ASSEMBLY

JANUARY 2, 1918

List of Members of Assembly of the State of New York for the Year 1918

COUNTY	DIST.	NAME
Albany	1	Clarence F. Welsh.
	2	John G. Malone.
	3	James M. Gaffers.
Cattaraugus		William Duke, Jr.
Columbia	1	Earl H. Miller.
	2	Edward J. Flynn.
	3	Benjamin Gitlow.
	4	Samuel Orr.
	5	Charles B. Garfinkel.
	6	Thomas J. McDonald.
	7	Joseph V. McKee.
	8	J. Fairfax McLaughlin.
Delaware	1	Edmund B. Jenks.
	2	Forman E. Whitcomb.
Hamilton		DeHart H. Ames.
Montgomery		L. Ford Hager.
Saratoga	1	Hermes L. Ames.
	2	Joseph A. McGinnies.
Schoharie		John J. Richford.

COUNTY	DIST.	NAME
Chenango		Bert Lord.
Clinton		Wallace E. Pierce.
Columbia		William J. Alvord.
Cortland		George H. Wiltsie.
Delaware		James C. Nesbitt.
Dutchess	1	James C. Allen.
	2	Frank L. Gardner.
Erie	1	Alexander Taylor.
	2	John W. Slacer.
	3	Nicholas J. Miller.
	4	James M. Mead.
	5	Alexander A. Patrzykowski.
	6	George H. Rowe.
	7	Herbert A. Zimmerman.
	8	Nelson W. Cheney.
Essex		Raymond T. Kenyon.
Franklin		Warren T. Thayer.
Fulton-Hamilton		Burt Z. Kasson.
Genesee		Louis H. Wells.
Greene		Harding Showers.
Herkimer		Edward O. Davies.
Jefferson		H. Edmund Machold.
Kings	1	Patrick H. Larney.
	2	William H. Fitzgerald.
	3	Frank J. Taylor.
	4	Peter A. McArdle.
	5	James H. Caulfield, Jr.
	6	William M. Feigenbaum.
	7	Daniel F. Farrell.
	8	John J. McKeon.
	9	Frederick S. Burr.
	10	Hoxie W. Smith.

COUNTY	DIST.	NAME
Kings	11	Thomas E. Brownlee.
	12	Albert Link.
	13	Morgan T. Donnelly.
	14	Joseph A. Whitehorn.
	15	Jeremiah F. Twomey.
	16	Kenneth F. Sutherland.
	17	Frederick A. Wells.
	18	Marshall Snyder.
	19	Benjamin C. Klingmann.
	20	George J. Braun.
	21	Wilfred E. Youker.
	22	James J. Morris.
	23	Abraham I. Shiplacoff.
Lewis		Albert A. Copeley.
Livingston		George F. Wheelock.
Madison		Morell E. Tallett.
Monroe	1	James A. Harris.
	2	Simon L. Adler.
	3	Harry B. Crowley.
	4	Frank Dobson.
	5	Franklin W. Judson.
Montgomery		Erastus Corning Davis.
Nassau	1	Thomas A. McWhinney.
	2	Franklin A. Coles.
New York	1	Peter J. Hamill.
	2	Caesar B. F. Barra.
	3	Peter P. McElligott.
	4	William Karlin.
	5	Charles D. Donohue.
	6	Elmer Rosenberg.
	7	Abram Ellenbogen.
	8	Louis Waldman.
	9	Martin Bourke.

COUNTY	DIST.	NAME
New York	10	Eliot Tuckerman.
	11	William C. Amos.
	12	Martin G. McCue.
	13	Charles M. Havican.
	14	Mark Goldberg.
	15	Schuyler M. Meyer.
	16	Maurice Bloch.
	17	August Claessens.
	18	Owen M. Kiernan.
	19	Edward A. Johnson.
	20	Charles A. Winter.
	21	Harold C. Mitchell.
	22	Earl A. Smith.
	23	Ellis A. Bates.
Niagara	1	William Bewley.
	2	Nicholas V. V. Franchot, 2d.
Oneida	1	Henry D. Williams.
	2	Louis M. Martin.
	3	George T. Davis.
Onondaga	1	Manuel J. Soule.
	2	Harley J. Crane.
	3	George R. Fearon.
Ontario		George M. Tyler.
Orange	1	William F. Brush.
	2	Charles L. Mead.
Orleans		Frank H. Lattin.
Oswego		Thaddeus C. Sweet.
Otsego		Allen J. Bloomfield.
Putnam		John P. Donohoe.
Queens	1	Peter A. Leininger.
	2	Peter J. McGarry.
	3	John Kennedy.
	4	L. Eugene Decker.

COUNTY	DIST.	NAME
Queens	5	Albert J. Brackley.
	6	William H. O'Hare.
Rensselaer	1	John F. Shannon.
	2	Arthur Cowee.
Richmond	1	Thomas F. Curley.
	2	Henry A. Scesselberg.
Rockland		Gordon H. Peck.
St. Lawrence	1	Frank L. Seaker.
	2	Edward A. Everett.
Saratoga		Gilbert T. Seelye.
Schenectady	1	Walter S. McNab.
	2	A. Edgar Davies.
Schoharie		George A. Parsons.
Schuyler		Hiram H. Graham.
Seneca		Lewis W. Johnson.
Steuben	1	Samuel E. Quackenbush.
	2	Richard M. Prangen.
Suffolk	1	De Witt C. Talmage.
	2	Henry A. Murphy.
Sullivan		William B. Voorhees.
Tioga		Daniel P. Witter.
Tompkins		Casper Fenner.
Ulster		Joel Brink.
Warren		Frank C. Hooper.
Washington		Charles O. Pratt.
Wayne		Frank D. Gaylord.
Westchester	1	Bertrand G. Burtnett.
	2	William J. Fallon.
	3	William Belknap.
	4	Mitchell A. Trahan, Jr.
	5	George Blakely.
Wyoming		Bert P. Gage.
Yates		James M. Lown, Jr.

STATE OF NEW YORK

THE GOVERNOR'S MESSAGE

1918

Transmitted to the Legislature January 2, 1918

THE GOVERNOR'S MESSAGE

STATE OF NEW YORK,

EXECUTIVE CHAMBER,

ALBANY, *January 2, 1918*

To the Legislature:

When the Congress of the United States declared war on the Imperial German government, New York responded with vigor and enthusiasm to the call for volunteers, and in every walk in life her citizens have done, and are still doing, all they can to insure the success of our cause.

The State Administration has stood solidly behind the President and Federal authorities.

There entered the military and naval service of the United States between April 1st and December 1st, over 164,014 citizens of the State of New York apportioned as follows:

New York National Guard (Federalized), over..	41,000
Naval Militia	5,432
National Army	69,241
Volunteers joining the Army.....	30,818
Volunteers joining the Navy.....	15,410
Volunteers joining the Marine Corps.....	2,113
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Total	164,014
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In this connection, I desire to call your attention to the successful operation of the Selective Draft Law by those charged with its administration in the State. The 7,947 men comprising and connected with the boards of exemption have, in all but two or three unfortunate instances, cheerfully and faithfully performed their duties at great personal sacrifice.

The amount of the first Liberty Loan apportioned to the State of New York was \$897,922,000, and the amount subscribed for in the State was \$1,044,724,900. The amount of the second Liberty Loan apportioned to the State of New York was \$1,346,898,000, and the amount subscribed for was \$1,413,107,300.

The State Food Commission provided for by Chapter 813 of the Laws of 1917, immediately upon its appointment conferred with Mr. Hoover and the Federal authorities and has worked out a plan of cooperation.

At the conference it was decided that inasmuch as under the Act of Congress the Federal authorities had certain broad powers, such as the power to determine the control of transportation and distribution, the regulation of manufacturers, wholesalers, storage and commission merchants, the enforcement of the law against hoarding, which are largely matters of an interstate character, these powers could best be exercised under the Federal Act.

The following quotation from the agreement entered into between the State Food Commission and Mr. Hoover shows the features of the work that could best be enforced under the State Law.

“In relation to the activities of the State Food Commission, it is recognized that at certain points the Federal and State authority and objectives overlap, in the main, the State Commission possesses much wider authority over retail distribution and possesses large powers in control of public eating places, establishment of public markets, purchase and sale of food by municipalities, collection of information, control of transportation, and stimulation of production, which are not possessed by the Federal administration.”

In order to establish the greatest possible cooperation, it was agreed that the three members of the State Food Commission and the two Federal administrators for the State of New York should be consolidated into one Federal board with the President of the State Food Commission as chairman. Thus, there has been created a combination of power and authority which will enable the National and State administrators unitedly to enforce and

make effective the control and distribution of the food supply within the State, taking advantage of the strongest provisions of both Acts.

On the 20th day of October, the City of New York duly made application for the power to buy, store and sell food and fuel, and on November first, after a hearing, the State Commission granted the City of New York the power requested upon the following conditions: first, that the grant should be revocable by the Commission, and, second, that the City of New York should make monthly reports to the Commission of its operations.

After this prompt action on the part of the State authorities, it is to be regretted that those having the matter in charge in the City have not been able to agree on the officer to do the purchasing, and hence the people have been denied the needed relief.

No other city has requested permission to buy, store and sell food or fuel under the provisions of the Act.

By the provisions of Chapter 521 of the Laws of 1917, the Excise Commissioner, with the approval of the Governor, is given power to prohibit or limit the sale of alcoholic beverages in proximity of camps and barracks of the State or Federal troops, or munition factories and places where war supplies are produced.

Five orders have been made under the provisions of this chapter.

The New York State census and inventory of military resources, taken last June with the aid of one hundred and eighty thousand volunteer assistants, has furnished the State with a classified index of its residents, between the ages of sixteen and fifty-one, showing what they can do and what they own that may be of use in war time. The Federal government has been quick to take advantage of the census, securing lists of alien enemies, the names of cooks, firemen, mechanics, shipbuilders and other workers needed by the government, and the names of men who desired to enlist. Letters from officials of the Federal government state that the census has given them the most valuable assistance in their recruiting work, in speeding up ship construction and in seeking out alien enemies.

The census has also been of great assistance to the Military Training Commission in carrying out the provisions of the act

requiring compulsory military training for all boys above the age of sixteen and not over the age of nineteen.

During the past summer the State faced a serious situation by reason of the absence of the National Guard. Not only was it confronted with the same local problem as every other State, namely, that of safeguarding the lives and property of its citizens, but also with the added responsibility of guarding its railways and waterways over which large quantities of supplies were being transported to the Port of New York for shipment abroad to our soldiers and our Allies.

Section 3 of Article XI of the Constitution of the State provides:

“ * * * that there shall be maintained at all times a force of not less than ten thousand enlisted men, fully uniformed, armed, equipped, disciplined and ready for active service.”

To meet the constitutional provision, it was necessary to recruit a force to take the place of the National Guard as it was mustered into the Federal service.

The work of organizing the New York Guard was begun in July and was so well advanced on August 2nd, when the War Department notified the Adjutant General that all the federalized National Guard in the State of New York doing guard duty would be withdrawn on August 10th, that the State notified the War Department it was ready to take over this work. Troops of the New York Guard, fully armed and equipped, replaced the federalized National Guard on all State buildings and took over the guarding of five hundred miles of canal. The State also, at the request of the Mayor of the City of New York, assumed the guarding of the Croton and Catskill Aqueducts, the property of the City of New York.

During September the New York Guard was recruited up to full strength — that is ten thousand men — and is now recruited up to over fourteen thousand. It has been armed with rifles purchased by the State and is being uniformed at the present time.

All of the brigade and regimental commanding officers of the New York Guard have been trained in the New York National

Guard, and with but one exception have served with the units to which they are now assigned. No officers are commissioned except upon recommendation of the Commanding Officer, approved by their Brigade Commander. Thus there will be preserved under officers of their own training and in their own armories, the fine traditions of our National Guard regiments which entered the Federal service and thereby lost regimental numbering.

On September 1st, 1917, Home Defense units were given opportunity to apply for muster in the New York Guard and over six thousand well trained men of an unusually fine type have thus joined. It was of great advantage to the new guard to obtain the services of so many well trained recruits.

The Home Defense force which is now made up of more than eleven thousand men will be used as an emergency aid in home communities during the continuance of the present war, as provided by Chapter 235 of the Laws of 1917.

The organization of this new guard has given an opportunity to re-adjust old regimental lines to conform to railway transportation facilities and has made possible the placing of units of the New York Guard in many counties which had not maintained any, thus distributing the armed forces more evenly over the State.

The greatest care has been taken to see that every cent of the State's funds, expended by reason of the war emergency, was properly expended and that there should be no waste. To this end there has been organized in the Adjutant General's office a division of Chambers of Commerce, so that there and throughout the State the trained business advice of those non-partisan bodies will be immediately available on every problem affecting our war expenditures.

As showing what organized labor in this State is doing to aid the country in the war, I call your attention to the fact that while there were reported to the Bureau of Mediation and Arbitration in the State Industrial Commission between April 1, 1916, and November 30, 1916, 385 strikes, which involved 216,043 persons, during the same period in 1917 there were reported to the Bureau but 228 strikes, involving less than 65,000 persons.

The farmers of New York State, by their noble response to the country's call, have increased the cultivated acreage over 30 per cent., and consequently the food supply has been augmented.

I hope your Honorable Body will do everything in its power to encourage that class of citizens which is so valiantly supporting our cause on the farms of the State.

FINANCE

I am sending herewith as part of this message my compilation of appropriations desired by the departments and institutions of the State, together with my recommendations, in the form of a tentative Appropriation act, for appropriations at this session.

At a later date in a separate communication I will further discuss these requests and recommended appropriations as part of my Budget Estimate to your Honorable Body.

TOWNSHIP SCHOOL LAW

I call your attention to the widespread discontent among the rural communities due to the passage of the so-called township school law.

This law was introduced and passed at the instance of the Regents of the University of the State of New York in the belief that it would better rural school conditions. I was also informed that the measure had the approval of the officers of the State Grange, who took the same view.

While it was designed to promote the consolidation of weak and inefficient schools with the stronger and better equipped, its framers apparently overlooked the existing conditions in some of the rural districts and, therefore, undertook practically to force the abolition of many of the existing school districts and their union with stronger schools when such consolidation was impractical.

The result seems to be a very large increase of taxes among the rural districts without a corresponding increase in equipment, in teaching, or in efficiency.

It has thrown upon some of the rural districts the burden of supporting, in large measure, union free schools located in

the larger villages of townships, and investigation has shown that the consolidation of eight or nine rural districts, some of which are five, six or seven miles from the central high school, cannot be accomplished advantageously at the present time.

Another feature of the bill which is objectionable is the fact that the town board of education is given power to raise by taxation the necessary expenses of running the schools, thus depriving the people of the right to vote on the amount of money to be expended for school purposes within the school district.

As a general principle the continuance of local self-government for the purpose of raising funds for local public expenditure should still be regarded as one of the fundamental safeguards of our State.

Taking into consideration these and other objections to the law and bearing in mind the practical demonstration afforded by the experience of the past year and the failure of the law properly to accomplish the purpose for which it was enacted, it is my belief that the best interests of the State require its amendment.

AGRICULTURE

The Council of Farms and Markets provided for by Chapter 802 of the Laws of 1917 has been appointed and is proceeding to consolidate and reorganize the Department of Agriculture and the Department of Foods and Markets.

I am confident that the men appointed to this Council are in thorough sympathy with the needs of the farmer; some of them depend upon farms for their livelihood, while others have been successful in conserving and distributing farm products.

The Council has wisely placed at the head of the various bureaus in the agricultural division, men who have the confidence of those who till the soil, raise the livestock and grow the fruit — farmers of wide practical experience.

I recommend a careful study of the question of the shortage of farm labor.

I have viewed with alarm the decline of the livestock industry in this State. It is important that something be done to encourage and promote it.

It has been authoritatively stated that during the past year there has been an increase of 44 per cent. in the slaughter of dairy

cattle, while there has been an increase of 28 per cent. in the number of calves slaughtered during the same period in the year 1916. The law of this State provides for the slaughter of dairy cattle suffering from bovine tuberculosis and of horses suffering from glanders. The owners are paid damages by the State.

When the present State administration took office in 1915 the Legislature had failed for some years to make appropriations for the payment of these damage claims. Large appropriations were necessary to pay claims in arrears and to provide for the payment of current audited claims. This gave some relief to the owners but it did not go far enough.

I have included in my tentative budget proposals an item of \$225,000 to provide for the payment of such claims now due and I have included an item of \$200,000 for the payment of claims which will accrue during the year ending June 30, 1919. Thus, payments will not depend upon the action of a future legislature but will be made immediately to the owners.

CONSERVATION OF WATER POWER

For several years past there have been endeavors to formulate a policy for the conservation of the water powers of the State, but as yet no adequate solution of this problem has been found. I am convinced that now is the time for the adoption of a policy, that will enable the State not only to develop these natural resources but also to derive a substantial revenue therefrom.

It was the practice in the past to grant to individuals, by private bills, the right to use the water powers of the State without consideration. Thus properties of inestimable value, formerly the property of all the people of the State, by reason of such grants yield no income to the State, and frequently it has been necessary for the State to reclaim at an enormous expense the property granted by these private bills.

Never before has the need of electric power been so urgent as it now is and will continue to be, not only for the period of the war, but thereafter. We need the development of the vast natural resources of the State to win the war as well as to win in the commercial strife that will inevitably follow. I call your attention to the prevailing scarcity of nitrogen, which can be alleviated

only by such development. Nitrogen, so necessary to the farmer, now costs him thirty-five cents a pound in nitrate of soda, while in Norway nitrogen is produced by hydro-electric power at a cost of seven cents a pound.

Under the present laws, the State is prohibited from disposing of any surplus waters created by the canal improvement. The surplus power created incidentally by the construction of the canal, is now being wasted. The increasing cost of maintaining our State government is a continuing serious problem, and the direct revenue of the State can be increased without appreciable expense to it by leasing the surplus waters.

Realizing the importance of this question, I requested the State Engineer, the Attorney-General, the Superintendent of Public Works and the Conservation Commissioner to study the question and to report to me their conclusions and recommendations.

In reading the report of the committee appointed by me, whose recommendations I heartily endorse, I hope you will bear in mind the distinction between the State's selling water power and the generation of electricity which will result from the power furnished by the State. The committee is opposed to the State's entering into the hydro-electric business, but believes that the State should reserve to itself the right to dispose of the latent power of the impounded water.

The recommendations of the committee are as follows:

“Your committee has decided upon submitting to you four suggestions, the first two of which, while concrete in themselves, necessarily have a direct bearing upon the third, and in the opinion of your committee should be effected in order to permit of a proper and certain accomplishment of the third suggestion.

1. To amend the Constitution so as to take from the legislature the power to grant away, by private bills, the water powers of the State.

2. To repeal Article 7-a of the Conservation Law which provides for river regulation by storage reservoirs.

3. The immediate passage of appropriate legislation to enable the State to develop the undeveloped water powers of the State through a commission to be appointed by the

Governor and to market the power thus developed under the direction of such commission.

4. The immediate passage of appropriate legislation authorizing the Superintendent of Public Works, with the approval of the Canal Board, to dispose for proper returns by lease, of surplus water power created as a result of the construction of the Barge Canals."

THE IMPROVED CANAL SYSTEM

The completion of the canal enlargement project, authorized by Chapter 147 of the Laws of 1903, is at hand. The new Oswego-Troy route was opened to navigation last summer, as was also the enlarged channel extending northerly to Lake Champlain. The main line connecting the Hudson river with Lake Erie will be ready for use next summer.

The canals constitute the most splendid system of waterways in the country, both from a strategical and from a commercial standpoint. They connect the Great Lakes with the seaboard. They are a part of the great line of west to east communication. They extend through one of the most densely populated sections of the United States. The population of this State is approximately ten per cent of the total population of the nation, and in a zone within twenty miles on each side of the canal line between New York and Buffalo, eight million people, or eighty per cent of the State's entire population, reside. Over one million people reside within the cities of Buffalo, Rochester, Syracuse, Utica, Troy and Albany, and at the terminus of the waterway lies New York with a population of over five millions.

The necessity for a full use of the canals is urgent. I am reliably informed that the railroads of the country, and particularly those which traverse this State, have almost reached the limit of their capacity, and that, when such limit has been attained, more than fifteen per cent of freight will be left for movement by other means. The shipment of commodities by canal affords every advantage. If economy in movement is desired, the lower water rate will supply it. If the speedy receipt of goods is demanded, the canals will, with the certain freight congestion of next summer, excel the railroads in time of delivery.

Aside from the benefits which must accrue to the citizens of

this State by the rehabilitation of canal commerce, the use of the new waterways is a military necessity. The needs of the great American army abroad must be supplied at all costs. The armies of our Allies must be served. Without the fullest use of every means of transportation, the situation which already is acute, will be most serious by midsummer. A crisis in the transportation situation is at hand. It must be met and vigorous action taken to relieve it. Relief can be provided by a full utilization of the canals. They have a capacity of at least ten million tons a year, which would be equal to the conservation of five hundred thousand freight cars annually, thus supplementing existing transportation facilities to that extent.

Next summer, the canal will be completed, but the freight problem is not solved merely by its completion. There must be ready for use at the same time new and modern freight carrying boats and operating companies, officered by energetic, capable men. The State will have provided at an expense of one hundred and fifty-four million dollars a plant without equal in the country. It now offers it to the people toll free to be used for the purposes of commerce or national defense.

CHANGES IN THE ELECTION LAW

Inasmuch as the voters of the State have adopted the amendment to section 1 of article II of the Constitution, I urge upon you the necessity of amending the Election Law so as to provide proper machinery for allowing the women of the State to vote at the elections next spring.

It is most important that adequate and equitable provision be made immediately for the registration of women voters for the spring elections, as the present law provides one day only for the correction of the register.

Women voters should also be given an opportunity to enroll in political parties and take part in the primaries to be held next fall.

In this connection it is interesting to note that of the twelve States having equal suffrage, the States of Arizona, California, Idaho, Kansas, Montana, Nevada, Oregon, Washington and Wyoming permit the nomination of candidates for public office by petition only, while the States of Colorado, Illinois and Utah

permit the nomination of candidates for the primaries both by petition and by political conventions. In the State of Colorado, however, all of the candidates receiving as much as 10 per cent. of the vote of a convention are placed upon the primary ticket.

RESULTS OF EXCISE LEGISLATION

In 1897, after the first elections under the Raines Law, the issuance of any kind of licenses for trafficking in liquors was forbidden in 262 towns of the State out of a total of 942.

The following table shows the number of towns in which no licenses were issued, the number of towns having partial and full licenses, the number of full license towns and the number of partial license towns on the 1st of May each year, from 1897 to 1918, those for the 1st of May, 1918, being determined at the elections during the present year.

May 1	Number of no license	Number of partial and full license	Number of full license	Number of partial license
1897.....	262	680	359	321
1898.....	263	679	361	318
1899.....	276	657	346	311
1900.....	276	657	346	311
1901.....	285	647	349	298
1902.....	284	648	344	304
1903.....	285	648	344	304
1904.....	298	635	344	291
1905.....	309	624	339	285
1906.....	310	623	332	291
1907.....	308	625	329	296
1908.....	314	619	336	283
1909.....	338	595	325	270
1910.....	394	539	294	245
1911.....	414	519	326	193
1912.....	412	521	366	155
1913.....	410	523	374	149
1914.....	407	526	384	142
1915.....	421	511	371	140
1916.....	498	435	322	113
1917.....	519	414	310	104
1918.....	584	348	208	140

The following percentages are interesting as showing the growth of the sentiment in favor of no license.

In 1897 the voters in 27.8 per cent. of the towns of the State had voted in favor of no license. In 1902, the number had increased to 30.5 per cent.; in 1907, to 33 per cent.; in 1912, to 43.3 per cent.; in 1917, to 55.6 per cent. During the year 1917, however, 65 towns voted no license, with the result that now over 62 per cent. of the rural communities of the State forbid trafficking in liquor of any kind, and the increase in the number of no-license towns since 1915 is greater than the increase in the period between 1897 and 1915.

STATE POLICE

The Superintendent of State Police immediately after his appointment on May 2d, made a personal study of the Pennsylvania Constabulary and the Canadian Mounted Police systems.

The first examination for troopers was held on June 11th. On July 16th, the recruits began their training, and on September 6th began their active duty by policing the State Fair Grounds at the time of the State Fair.

In the meantime four barracks had been prepared near the cities of Batavia, Syracuse, Albany and White Plains.

During the months of October and November, 54,000 miles of highways were patrolled, 258 arrests made, with 207 convictions.

It is gratifying to note that there has been no conflict with the local authorities and that the troopers have not taken part in any industrial disputes.

The Superintendent of State Police requests the creation of one more troop, to be called a detached post troop. He states that if this troop, consisting of 45 troopers, 2 commissioned and 17 non-commissioned officers, is created, it will be years before the department need again be increased, as 25 posts can be established, which, added to the ten stations already assigned, will make 35 stations, each with a radius of approximately 20 miles. Three men could then be placed at each station — one a motor cyclist, one on foot and one mounted. By this method practically every citizen would be within 20 miles from such post and by the use of the motor cycle, quick service could be rendered.

POWERS OF THE STATE IN WAR TIME

A legal proceeding was brought to test the constitutionality of the statute giving power to the Commissioner of Excise, with the approval of the Governor, to regulate the traffic in liquor in certain territory during the war.

The Appellate Division of the Second Department unanimously held it constitutional.

I quote so much of the opinion as bears upon the question:

“This legislation now attacked is an emergency measure for the safety and efficiency of the enlisted men while in training, and those engaged in munition and equipment services equally important. It is demanded by the ‘high behests of war,’ which may call the people to every sacrifice.

“Accustomed, as we have become, to the war powers of the Federal government, we are not to overlook the unquestioned war powers still residing in the State. While the State cannot declare war, or in itself carry it on, it is bound to render loyal aid to the general government, in the effective prosecution of the war. After raising the military and industrial personnel, it is still under a duty to safeguard them from evil influence, even when its citizens have been mustered into the Federal military service. The State has also in good faith to co-operate in the national policies for war efficiency.

“To win this war, the industrial army in factory, mill, and shipyard may become as necessary as the forces in the field. Industrial masses not having been under military training, however, are therefore in greater need of protection. The State shares with the general government in the duty to safeguard the men taken from their homes, mustered into the Federal service, and assembled in military camps. But the number, which is now greater, gathered in war industries, are, for the present, dependent for their protection upon the power of the State alone.

“Should a narrow and technical judicial policy weaken and annul this beneficent State statute, the result in this, as in many a past instance, would necessitate an enlargement of federal control so as to bring the general government more and more into State affairs. The Draft Act,

approved May 18th, 1917, in section 12 authorizes the President to make 'such regulations governing the prohibition of alcoholic liquors, in or near military camps, and to the officers and enlisted men of the army, as he may from time to time deem necessary or advisable.' Such control is the more wholesome and, being backed by local sentiment, should be more effective, if administered under the principles of home rule. The vast field of the Washington executive already overburdens the President. He should not be called on to supplement, and certainly not to replace, the proper and legitimate exercise of the police power of New York. It is now settled that, by virtue of its general sovereignty, the United States may take such measures as are necessary to insure peace and order in the performance of any of its functions. *Ex parte Siebold*, 100 U. S. 371; *In re Debs*, 158 U. S. 564.

"The occasion for this enactment is not disputed. Conditions threaten to demoralize camps, and to hinder, obstruct and delay the production of needed war material. Sales of intoxicants in this region have also led to serious assaults on government workmen passing through this neighborhood. Suspending the liquor traffic will abate most of these conditions, which otherwise may jeopardize the arming and equipment of transports and other government shipping as well as endangering the efficient output of munitions. The statute should, therefore, be sustained."

PRESERVATION OF SOLDIERS' AND SAILORS' CIVIL RIGHTS.

The Secretary of War, through the Section on Co-operation with States of the Council of National Defense, has requested that I recommend to your Honorable Body the passage of an act staying civil proceedings against soldiers and sailors in the Federal service.

Attached hereto is a copy of a letter addressed to me by the Honorable George F. Porter, the Chief of the Section on Co-operation with States of the Council of National Defense; a letter addressed to Mr. Porter by the Major Judge Advocate, Assistant to the Judge Advocate General, dated September 27th, and a

letter addressed to Mr. Porter by The Honorable, The Secretary of War, dated October 19th.

I recommend a careful study of the report of the Judiciary Committee of the House of Representatives submitted on October 7th, numbered, Report Number 181, and a memorandum before the subcommittee of the Committee on the Judiciary of the United States Senate on the same bill, which contain a very interesting and exhaustive discussion of the provisions of the bill and of the legal questions involved.

There is probably very little question as to the authority of Congress to pass such an act under its war powers, but a more serious question is involved in regard to the power of a State legislature. However, the decision of the Appellate Division heretofore quoted, unless reversed by the Court of Appeals, may be regarded as authority as to the constitutionality of such legislation.

There appears to be no general demand for important changes in our laws or for much new legislation.

From 1866 to 1917, with but short interruption, our country enjoyed peace and escaped the sorrows of war. Under these conditions our statute law was built up. Now, when we are engaged in the greatest struggle that the world has ever known, we may find some changes necessary, but it is well to remember that the statutory law is the result of an evolution covering a number of years and is based on experience.

I am apprehensive lest in the name of patriotism some unnecessary and unwise legislation may be enacted, and I, therefore, urge upon you the greatest care in considering proposed legislation.

While I feel it my duty to call your attention to what this State has accomplished so far in the war, and it is with deep gratification that I do so, I realize, as of course you do, that we are not merely New Yorkers — we are Americans.

In the Army and the Navy, citizens from every State, sons and grandsons of those who wore the blue and those who wore the gray, the rich and the poor, stand side by side, meet the same danger, endure the same privation, and in the end will share the same victory.

As in the Army and the Navy our citizens are fighting shoulder to shoulder regardless of former conditions or differences, let us also work together, earnestly and unselfishly striving to the utmost to do not only our bit but our best to insure the triumph of our cause.

CHARLES S. WHITMAN.

COUNCIL OF NATIONAL DEFENSE

SECTION ON COOPERATION WITH STATES

WASHINGTON, *October 6, 1917.*

HON. CHARLES S. WHITMAN, *Governor, State of New York,
Albany, New York.*

DEAR SIR: The War Department has asked us to bring to your attention for consideration by you for recommendation to the New York Legislature an act staying proceedings against soldiers and sailors in the federal service.

The act was presented to Congress late at the present special session. It has passed the House, but it was impossible to bring it before the Senate at this session.

The act is in no wise a rigid or inflexible stay law. The matter of granting a stay is placed entirely in the discretion of the court, but in no case may a stay be granted unless it is shown that the ability of the defendant to meet his obligation has been substantially impaired by reason of his military service.

Certain criticism that has been directed against the Federal Bill, particularly by real estate interests, has evidently been made under a misapprehension as to the provisions of the Bill. The Bill does not allow a soldier or his family to remain in possession of premises for the period of the war without payment of rent. The maximum stay from eviction which can be granted is a period of three months and then only as to premises occupied by the dependents of the soldier where the rent does not exceed \$50.00 per month. A provision for an allotment of pay is also made. The provision as to mortgages in its effect is limited to cases where the mortgage is on a home or small business owned by the soldier and still occupied by his family or his employees. The purpose of the Bill has been to exclude anything in the nature of investments.

In spite of the belief that this law will be passed by Congress at the next session, the War Department trusts that the several States

will also pass a law as nearly identical as possible with the proposed Federal statute. The history of State legislation during the Civil War shows that most States are likely to pass some sort of a "stay law" during the present war. It is unnecessary to suggest that any protection given a soldier against suit should be uniform throughout the country. It would likewise be unfortunate to have any inconsistency between State and Federal laws upon this subject.

The War Department, therefore, appeals to the same spirit of cooperation by the States of which the States furnished such a remarkable example in connection with the administration and execution of the provisions of the Selective Service Law.

It is, of course, appreciated that the constitutionality of such a stay law as is here proposed, is more questionable if enacted by the States than if by the Federal Government. It is likewise true that many of the statutes of the Civil War were held unconstitutional by the State courts. It is suggested, nevertheless, that these decisions are not controlling at the present time. The State doctrine of police power has had its growth since the days of the Civil War. May not this doctrine be sufficiently elastic to cover a stay law in time of great public emergency?

We are enclosing a copy of the Bill as it passed the House of Representatives and also a copy of certain memoranda concerning the Bill before the Senate sub-committee and the report of the House Committee on the Judiciary.

May we call your attention particularly to pages 6, and 39 to 42 of the memoranda before the Senate sub-committee. You will also find enclosed a copy of a letter from the War Department on the subject.

In view of the appeal to the States made by the War Department for their cooperation, we trust that you may feel it desirable to recommend such legislation to the present special session of the New York Legislature. We shall be glad to know of any action you may take in regard to the matter.

Very truly yours,

GEORGE F. PORTER,

Chief of Section.

WAR DEPARTMENT

OFFICE OF THE JUDGE ADVOCATE-GENERAL,

WASHINGTON, *September 27, 1917.*

MR. GEORGE F. PORTER, *Chief, Section on Cooperation with States, Council of National Defense, Washington, D. C.*

DEAR MR. PORTER: A bill entitled "Soldiers' and Sailors' Civil Rights Act" has been prepared in this office. It has been drafted with great care and is now pending before both Houses of Congress.

Both the War and Navy Departments feel that the early enactment of this bill by the States, as well as by Congress, is of the highest importance to protect from injury the civil rights of soldiers who are now abroad, as well as those soldiers now at cantonments who will soon be sent to join the forces already on the other side.

We regard it desirable to have the State legislatures enact this law, for the protection extended to such rights of soldiers should obviously be uniform throughout the Union. Some States have already legislated and doubtless many more will in the future legislate on this subject and there should be no opportunity given for the complications which might well arise from different or even inconsistent legislation by Congress and the States.

The undoubted and unique success on so enormous a scale of the method pursued under the Selective Service Law of inviting the voluntary cooperation of the State authorities for a Federal purpose has convinced us that a similar method can be applied in enacting the measure here presented which is so vital to the welfare of the American Army and Navy but which will ultimately depend for its successful carrying out upon the loyal cooperation of the cause in every State.

We trust, therefore, that through the machinery of the Section on Cooperation with States not only will you bring this legislation to the attention of the State legislatures but that you will use every means at your disposal to secure its early enactment by them.

Yours very truly,

JOHN H. WIGMORE,
Major, Judge Advocate,
Assistant to the Judge Advocate-General.

WAR DEPARTMENT,

WASHINGTON, *October 19, 1917.*

MR. GEORGE F. PORTER, *Chief, Section on Cooperation with States, Council of National Defense, Washington, D. C.*

DEAR SIR: A bill entitled "Soldiers' and Sailors' Civil Rights Act" was prepared by a committee representing the War Department and the Council of National Defense, and submitted to Congress at its recent session. The bill passed the House and it is presumed the late date at which it reached the Senate prevented complete action by that body. It has been given the approval of both War and Navy Departments, and it is hoped that it will speedily become a law when Congress reconvenes. It may be possible and desirable to enact many of the provisions of this bill into State law, and such legislation may be of the highest importance in protecting from injury the civil rights of soldiers and sailors who are now abroad, as well as those who are at cantonments and who will soon be sent to join the forces already on the other side.

It is, of course, desirable to have such legislation as may be enacted by the several States on this subject as nearly uniform as possible. Some States have already legislated, and others will doubtless legislate in the future on various phases of this subject, and it is believed that variations and complications may be avoided if the several States will follow the bill introduced in Congress as a general outline of the matters to be covered. The large measure of success which has followed the method pursued under the Selective Service Law of inviting the voluntary cooperation of the State authorities in pursuance of a vital purpose has convinced me that a similar method can be applied in enacting the measure herein referred to, which is so vital to the welfare of the American Army and Navy, but which will ultimately depend for its successful application upon the loyal cooperation of the local officials in the several States.

I trust, therefore, that, through the machinery of the section of the Council of National Defense on cooperation with States, you will not only bring this legislation to the attention of the State legislatures, but that you will use every proper means at your disposal to secure early and favorable consideration by them.

Very respectfully,

NEWTON D. BAKER,

Secretary of War.

STATE OF NEW YORK

No. 8

IN ASSEMBLY

JANUARY 9, 1918

List of Standing Committees of the Assembly For the Year 1918

COMMITTEE ON WAYS AND MEANS

Messrs. Machold of Jefferson; Seaker of St. Lawrence; Tallett of Madison; Seelye of Saratoga; Martin of Oneida; Kenyon of Essex; Bewley of Niagara; Lord of Chenango; McGinnies of Chautauqua; McWhinney of Nassau; Wheelock of Livingston; Bloomfield of Otsego; McElligott of New York; Taylor of Kings; Shannon of Rensselaer.

COMMITTEE ON JUDICIARY

Messrs. Pratt of Washington; Martin of Oneida; McNab of Schenectady; Bourke of New York; Crane of Onondaga; Pierce of Clinton; Rowe of Erie; Lown of Yates; Tuckerman of New York; Snyder of Kings; Goldberg of New York; Bloch of New York; O'Hare of Queens.

COMMITTEE ON GENERAL LAWS

Messrs. Ellenbogen of New York; Zimmerman of Erie; Youker of Kings; Williams of Oneida; Coles of Nassau; Bates of New York; Richford of Chemung; Fitzgerald of Kings; Winter of New York; McLoughlin of Bronx; Curley of Richmond; Orr of Bronx; Karlin of New York.

[A]

COMMITTEE ON CODES

Messrs. Duke of Allegany; Fearon of Onondaga; Taylor of Erie; Davis of Oneida; Jenks of Broome; Youker of Kings; Mitchell of New York; Fallon of Westchester; Davies of Schenectady; Johnson of New York; Barra of New York; Smith of New York; Whitehorn of Kings.

COMMITTEE ON AFFAIRS OF CITIES

Messrs. Malone of Albany; Blakely of Westchester; Ellenbogen of New York; Miller of Erie; Fearon of Onondaga; Davis of Oneida; Dobson of Monroe; Meyer of New York; Wells of Kings; Whitcomb of Broome; Burr of Kings; McCue of New York; Miller of Bronx.

COMMITTEE ON RAILROADS

Messrs. Seaker of St. Lawrence; Mead of Orange; Dobson of Monroe; Bloomfield of Otsego; Donohoe of Putnam; Caulfield of Kings; Gaffers of Albany; Brownlee of Kings; Graham of Schuyler; Larney of Kings; McKee of Bronx; Brackley of Queens; Waldman of New York.

COMMITTEE ON ELECTRICITY, GAS AND WATER

Messrs. Prangen of Steuben; Fenner of Tompkins; Johnson of Seneca; Donohoe of Putnam; Witter of Tioga; Slacer of Erie; Trahan of Westchester; Gaffers of Albany; Alvord of Columbia; Kiernan of New York; McDonald of Bronx; Sutherland of Kings; Shiplacoff of Kings.

COMMITTEE ON INSURANCE

Messrs. Gardner of Dutchess; Murphy of Suffolk; Ames of Cattaraugus; Prangen of Steuben; Miller of Erie; Mitchell of New York; Crowley of Monroe; Brownlee of Kings; Franchot of Niagara; Copeley of Lewis; McArdle of Kings; Hamill of New York; Twomey of Kings.

COMMITTEE ON INTERNAL AFFAIRS

Messrs. Wells of Genesee; Wheelock of Livingston; Thayer of Franklin; Kasson of Fulton-Hamilton; Cheney of Erie; Hager of Cayuga; Murphy of Suffolk; Harris of Monroe; Burtnett of Westchester; Ames of Chautauqua; Alvord of Columbia; Parsons of Schoharie; Belknap of Westchester.

COMMITTEE ON BANKS

Messrs. Wiltsie of Cortland; Wells of Genesee; Mead of Orange; Cheney of Erie; Gardner of Dutchess; Hooper of Warren; Williams of Oneida; Coles of Nassau; Bates of New York; Seesselberg of Richmond; Leininger of Queens; Smith of Kings; Feigenbaum of Kings.

COMMITTEE ON TAXATION AND RETRENCHMENT

Messrs. Judson of Monroe; McGinnies of Chautauqua; Jenks of Broome; Brush of Orange; Johnson of Seneca; Murphy of Suffolk; Burtnett of Westchester; Tyler of Ontario; Peck of Rockland; Rowe of Erie; Klingman of Kings; Flynn of Bronx; Decker of Queens.

COMMITTEE ON PUBLIC EDUCATION

Messrs. Tallett of Madison; Harris of Monroe; Welsh of Albany; Duke of Allegany; Soule of Onondaga; Gage of Wyoming; Brink of Ulster; Amos of New York; Fitzgerald of Kings; Whitcomb of Broome; Donnelly of Kings; Link of Kings; Claessens of New York.

COMMITTEE ON AGRICULTURE

Messrs. Witter of Tioga; Allen of Dutchess; Lord of Chenango; Tallett of Madison; Ames of Cattaraugus; Cowee of Rensselaer; Gage of Wyoming; Soule of Onondaga; Lattin of Orleans; Hooper of Warren; Brink of Ulster; Brush of Orange; Parsons of Schoharie.

COMMITTEE ON PUBLIC HEALTH

Messrs. Seelye of Saratoga; Fenner of Tompkins; Hager of Cayuga; Lattin of Orleans; Kenyon of Essex; Crane of Onondaga; Voorhees of Sullivan; Amos of New York; Trahan of Westchester; Tuckerman of New York; Bloch of New York; Twomey of Kings; Gitlow of Bronx.

COMMITTEE ON AFFAIRS OF VILLAGES

Messrs. Blakely of Westchester; Talmage of Suffolk; Allen of Dutchess; McWhinney of Nassau; Wiltsie of Cortland; Thayer of Franklin; Quackenbush of Steuben; Davies of Herkimer; Copeley of Lewis; Lown of Yates; Tyler of Ontario; Patrzykowski of Erie; Nesbitt of Delaware.

COMMITTEE ON CANALS

Messrs. McNab of Schenectady; Bewley of Niagara; Judson of Monroe; Crane of Onondaga; Caulfield of Kings; Zimmerman of Erie; Bourke of New York; Johnson of New York; Williams of Oneida; Trahan of Westchester; Burr of Kings; Shannon of Rensselaer; Garfinkel of Bronx.

COMMITTEE ON EXCISE

Messrs. Miller of Erie; Witter of Tioga; McNab of Schenectady; Quackenbush of Steuben; Gage of Wyoming; Gaylord of Wayne; Richford of Chemung; Graham of Schuyler; Ames of Chautauqua; McCue of New York; McKeon of Kings; McGarry of Queens; Shiplacoff of Kings.

COMMITTEE ON LABOR AND INDUSTRIES

Messrs. Bewley of Niagara; Talmage of Suffolk; Wells of Genesee; Gaylord of Wayne; Slacer of Erie; Taylor of Erie; Copeley of Lewis; Tyler of Ontario; Voorhees of Sullivan; Mead of Erie; Kennedy of Queens; Havican of New York; Rosenberg of New York.

COMMITTEE ON REVISION

Messrs. Davis of Montgomery; Harris of Monroe; Fenner of Tompkins; Jenks of Broome; Pierce of Clinton; Martin of Oneida; Lown of Yates; Johnson of New York; McKeon of Kings; Kennedy of Queens; Decker of Queens; Whitehorn of Kings; Orr of Bronx.

COMMITTEE ON CONSERVATION

Messrs. Talmage of Suffolk; Davis of Montgomery; Kasson of Fulton-Hamilton; Everett of St. Lawrence; Pierce of Clinton; Davies of Herkimer; Cowee of Rensselaer; Showers of Greene; Peck of Rockland; Voorhees of Sullivan; Miller of Bronx; Smith of New York; Morris of Kings.

COMMITTEE ON COMMERCE AND NAVIGATION

Messrs. Caulfield of Kings; Seelye of Saratoga; Cowee of Rensselaer; Showers of Greene; Brink of Ulster; Malone of Albany; Lattin of Orleans; Bates of New York; Rowe of Erie; McGarry of Queens; Klingman of Kings; Patrzykowski of Erie; Garfinkel of Bronx.

COMMITTEE ON CHARITABLE AND RELIGIOUS SOCIETIES

Messrs. Ames of Cattaraugus; Meyer of New York; Gaylord of Wayne; Caulfield of Kings; Davies of Schenectady; Fallon of Westchester; Peck of Rockland; Hamill of New York; Barra of New York; Braun of Kings; Belknap of Westchester; Rosenberg of New York; Claessens of New York.

COMMITTEE ON PENAL INSTITUTIONS

Messrs. Mead of Orange; Hager of Cayuga; Soule of Onondaga; Gaffers of Albany; Brownlee of Kings; Richford of Chemung; Gardner of Dutchess; Johnson of New York; Davies of Schenectady; Farrell of Kings; Barra of New York; McDonald of Bronx; Gitlow of Bronx.

COMMITTEE ON MILITARY AFFAIRS

Messrs. Wells of Kings; Welsh of Albany; Taylor of Erie; Crowley of Monroe; Meyer of New York; Slacer of Erie; Hooper of Warren; Prangen of Steuben; Amos of New York; Kiernan of New York; McArdle of Kings; Braun of Kings; Morris of Kings.

COMMITTEE ON PUBLIC PRINTING

Messrs. Thayer of Franklin; Wheelock of Livingston; Bourke of New York; Crowley of Monroe; Davis of Oneida; Donohoe of Putnam; Franchot of Niagara; Davies of Schenectady; Larney of Kings; Kiernan of New York; Feigenbaum of Kings.

COMMITTEE ON CLAIMS

Messrs. Cheney of Erie; Brush of Orange; Youker of Kings; Ellenbogen of New York; Pratt of Washington; Snyder of Kings; Fallon of Westchester; Donnelly of Kings; Flynn of Bronx; Havican of New York; Karlin of New York.

COMMITTEE ON PUBLIC INSTITUTIONS

Messrs. Everett of St. Lawrence; Blakely of Westchester; Judson of Monroe; McWhinney of Nassau; Bloomfield of Otsego; Alvord of Columbia; Snyder of Kings; McKee of Bronx; Winter of New York; Sutherland of Kings; Waldman of New York.

COMMITTEE ON SOLDIERS' HOME

Messrs. Quackenbush of Steuben; Lord of Chenango; Johnson of Seneca; Wells of Kings; Whitcomb of Broome; Tuckerman of New York; Graham of Schuyler; McElligott of New York; McLoughlin of Bronx; Brackley of Queens; Curley of Richmond.

COMMITTEE ON RULES

Messrs. Sweet of Oswego; Adler of Monroe; Machold of Jefferson; Malone of Albany; Fearon of Onondaga; Donohue of New York; Farrell of Kings.

COMMITTEE ON PRINTED AND ENGROSSED BILLS

Messrs. Mitchell of New York; Pratt of Washington; Davies of Herkimer; Ames of Chautauqua; Taylor of Kings; Garfinkel of Bronx.

COMMITTEE ON SOCIAL WELFARE

Messrs. Dobson of Monroe; Seaker of St. Lawrence; Allen of Dutchess; Duke of Allegany; Burtnett of Westchester; Fitzgerald of Kings; Coles of Nassau; Leininger of Queens; Smith of Kings; Link of Kings; Nesbitt of Delaware; Shiplacoff of Kings; Whitehorn of Kings.

COMMITTEE ON WAR

Messrs. Kenyon of Essex; Machold of Jefferson; Kasson of Fulton-Hamilton; Welsh of Albany; McGinnies of Chautauqua; Everett of St. Lawrence; Zimmerman of Erie; Wiltsie of Cortland; Davis of Montgomery; Showers of Greene; Franchot of Niagara; Mead of Erie; O'Hare of Queens; Seesselberg of Richmond; Goldberg of New York.

STATE OF NEW YORK

No. 4

IN ASSEMBLY

JANUARY 2, 1918

COMMUNICATION FROM THE GOVERNOR

**Transmitting to the Legislature the Joint Resolution of
Congress Proposing an Amendment to the
Constitution of the United States**

[COPY]

DEPARTMENT OF STATE,

WASHINGTON, *December 28, 1917.*

His Excellency, the Governor of the State of New York, Albany:

SIR.—I have the honor to enclose a certified copy of a Resolution of Congress, entitled “Joint Resolution Proposing an amendment to the Constitution of the United States,” with the request that you cause the same to be submitted to the Legislature of your State for such action as may be had, and that a certified copy of such action be communicated to the Secretary of State, as required by Section 205, Revised Statutes of the United States. (See overleaf.)

An acknowledgment of the receipt of this communication is requested.

I have the honor to be, Sir,

Your obedient servant,

(Signed) ROBERT LANSING.

[COPY]

Sec. 205. Whenever official notice is received at the Department of State that any amendment proposed to the Constitution of the United States has been adopted, according to the provisions of the Constitution, the Secretary of State shall forthwith cause the amendment to be published in the newspapers authorized to promulgate the laws, with his certificate, specifying the States by which the same may have been adopted, and that the same has become valid, to all intents and purposes, as a part of the Constitution of the United States.— Revised Statutes, 1878.

[COPY]

No. _____

UNITED STATES OF AMERICA

[SEAL]

DEPARTMENT OF STATE

To all to whom these presents shall come, Greeting:

I certify that the copy hereto attached is a true copy of a resolution of Congress, entitled "Joint Resolution Proposing an amendment to the Constitution of the United States," the original of which is on file in this Department.

In testimony whereof, I, ROBERT LANSING, Secretary of State, have hereunto caused the Seal of the Department of State to be affixed and my name subscribed by the Chief Clerk of the said Department, at the City of Washington, this Twenty-eighth day of December, 1917.

(Signed) ROBERT LANSING,
Secretary of State.

By (Signed) BEN G. DAVIS,
Chief Clerk.

[COPY]

S. J. Res. 17.

**SIXTY-FIFTH CONGRESS OF THE UNITED STATES
OF AMERICA**

AT THE SECOND SESSION, BEGUN AND HELD AT THE CITY OF
WASHINGTON ON MONDAY, THE THIRD DAY OF DECEMBER, ONE
THOUSAND NINE HUNDRED AND SEVENTEEN.

JOINT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE
UNITED STATES.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:

“ARTICLE —.

“Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

“Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

“Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.”

CHAMP CLARK,

Speaker of the House of Representatives.

THOS. R. MARSHALL,

*Vice President of the United States and
President of the Senate.*

I certify that this Joint Resolution originated in the Senate.

JAMES M. BAKER,

Secretary.

REPORT

OF THE

Commission to Investigate the Surface Railroad Situation in the City of New York on the West Side

Appointed under Chapter 720 of the Laws of 1917

**WM. H. VAN BENSCHOTEN, Chairman
DANFORTH E. AINSWORTH
CHARLES A. BEARD
CYRUS C. MILLER
RALPH S. ROUNDS
HENRY L. STODDARD
HIRAM C. TODD**

Commissioners

JOHN C. CLARK, Counsel

TRANSMITTED TO THE GOVERNOR AND LEGISLATURE JANUARY 31, 1918

**ALBANY
J. B. LYON COMPANY, PRINTERS
1918**

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STATE OF NEW YORK

No. 5

IN ASSEMBLY

JANUARY 31, 1918.

Report of the Commission to Investigate the Surface Railroad Situation in the City of New York on the West Side

To the Governor and the Legislature:

Your Commission, consisting of William H. Van Benschoten, chairman; Danforth E. Ainsworth, Charles A. Beard, Cyrus C. Miller, Ralph S. Rounds, Henry L. Stoddard and Hiram C. Todd, appointed under Chapter 720 of the Laws of 1917 to investigate the surface railroad situation in the City of New York on the West Side, reports as follows:

PART I

Your Commission would fail to express its deepest conviction if it did not declare at the outset that the most imperative need of the city of New York is a comprehensive and modern freight terminal system, not only for the New York Central Lines, but also for the railroads which float their freight across the Hudson river from the New Jersey shore. Having held its closing sessions during the gravest fuel crisis in the history of the city, when millions of people were literally in the death-grip of freezing weather and thousands of tons of coal were ice-bound within sight across the river, the Commission had brought home to it in a striking manner the necessity of finding speedy and final relief for the

people of the city of New York from dependence upon a system of antiquated terminals and archaic cross-river transportation, under which three-fourths of their freight, including nearly all of their fuel and an essential portion of their food, must be carried by slow and uncertain floats across the Hudson river. This crisis only emphasized the conclusion already reached by the Commission after careful and impartial investigation. It clearly revealed the folly of longer depending on carfloats and lighters in an age of tunnels and bridges. The use of the Pennsylvania passenger tunnel in this emergency for carrying to New York City and to New England coal that, on account of storm conditions, could not be lightered across the Hudson river, forcefully illustrates the difference between tunnels and carfloat methods.

Even if the expense of building tunnels under the river should largely exceed the estimates which have been made by engineers it would not total the staggering loss to commerce and manufacturers caused by temporary paralysis of the water-borne freight service, to say nothing of the inconvenience and distress suffered by millions of persons. Your Commission is convinced that a comprehensive freight system, including tunnels under the river, is both financially and physically practicable. To allow old political and personal bickering and competitive rivalries among the railroads longer to delay the solution of the West Side problem, would be to betray the people of the City and the State.

The Commission organized on November 13th, 1917. Since that date it has held public hearings and executive sessions, and has conducted an investigation in conformity with the provisions of said Act. It has called before it members of the Board of Estimate and Apportionment of the city of New York and of the Public Service Commission of the First District, representatives of the New York Central and other railroads having terminal facilities on the West Side of Manhattan, the present Comptroller of the city of New York, and also prominent engineers and citizens interested in the terminal problem.

Testimony taken at the public hearings is herewith submitted. Documents, reports, briefs, plans and profiles have been examined by the Commission, as will further appear in this report, and the papers therewith filed.

The New York Central Terminals

The Commission found the New York Central Railroad having the only all-rail connection with the West Side of Manhattan. Its tracks run from Spuyten Duyvil to St. John's Park. Along the line it has various structures and yards, the most important being the yards at Thirtieth and Sixtieth Streets. For about four miles from a point above Sixtieth Street south to St. John's Park the tracks are on the surface of the streets and are crossed at grade by some eighty crossings. Portions of the Thirty-first, Thirty-second and Thirty-third Streets and of Eleventh Avenue are practically covered with tracks at grade. The railroad passes through densely populated sections and its operation is slow and difficult. The trains are drawn by steam locomotives with the objectionable features of steam, smoke and noise. And this is so even in the park and residential sections of the upper West Side.

The terminal facilities and trackage are inadequate to handle the traffic. They have not been substantially changed, increased or improved in more than forty years, despite the tremendous growth of business in Manhattan. They are not only inadequate but out of date and inefficient. Hundreds of cars at a time are kept waiting north of the city for an opportunity to be brought down to the terminals. They sometimes have to wait from five to thirty days for unloading. The urgent requirements and necessities of the city and State for a service worthy of the city, in keeping with the times, together with the interests of the railroad in rendering such a service, demand radical action.

The Real Situation and Need

The inquiry of the Commission, however, discloses a city-wide need for modern and efficient freight facilities, which would not be met by any conceivable adjustment of the West Side terminals of the New York Central Railroad alone. Your Commission finds that only about 30 per cent of the incoming and outgoing railroad freight of Manhattan is carried by the New York Central, and that about 70 per cent is floated across the Hudson River on lighters or carfloats to and from the New Jersey shore. The freight transferred across the river is so great in volume and

is brought by so many different railroads, each having its own piers and lighterage system, that it seriously interferes with other river traffic. The practice of using the water front as a freight terminal yard diverts the city's docks from steamship to railroad purposes. About 40 per cent of the Hudson River waterfront available for Commercial uses is now occupied by so-called railroad piers. If the proportion increases as rapidly in the future as in the past, the waterfront will eventually become one continuous freight yard instead of a place for the accommodation of canal, river and ocean traffic.

Not only is the waterfront diverted from its proper uses, but an intense congestion of trucks receiving and delivering freight at the several terminal points along the waterfront inevitably results. Obviously it is impossible for the railroad companies to have, on such restricted waterfront, adequate structures and appliances for handling this immense freight. Therefore, carts and trucks stand for hours at freight terminals awaiting their turn to get to the doors or the piles of freight. These terminals are placed not at strategic points determined by the interests of the City, but as a result of competition among the railroads for favorable positions for themselves.

This inadequacy of waterfront terminals and their unsystematized locations are largely responsible for the congestion which makes the cost of truckage in the City of New York an unnecessary burden upon business and daily life. It is stated on authority that the actual cost to the New York shipper of getting freight to and from the water side stations frequently exceeds the cost of rail service as far west as Buffalo. This concentration of freight facilities in a narrow area on the West Side contributes to the delay in cross-town traffic, and blocks the stream of traffic bound north and south. It makes necessary long drayage hauls to all parts of the city.

Equally imperative with freight transportation for the merchants and manufacturers is the cheap handling of food supplies. The people of New York City consume annually one billion dollars worth of foodstuffs, and inadequate market and terminal facil-

ities are important factors in the high cost of living. Most of the perishable fruits and vegetables come in over the New Jersey lines. Owing to the congested pier space and concentration of terminals on the lower west side of Manhattan, long hauls are necessary for delivery, especially to the northern and eastern sections of the city, thus making the cost of trucking food supplies excessive. The lack of terminal and storage facilities with direct connections with the trunk railway lines is partly responsible for the condemnation of millions of pounds of spoiled foodstuffs every year by the Health Department of the City of New York—for instance, 12,000,000 pounds in 1916, and 18,000,000 pounds in 1915.

Preservation of Riverside and Other Parks

The Commission cannot overlook the conditions of railroad operation existing north of Sixtieth Street. Any settlement of the West Side problem must not fail to take them into account. North of the Sixtieth Street yards, the New York Central Railroad runs along Riverside Park, past Grant's Tomb, through Manhattan Valley and along the residential district northward to Spuyten Duyvil. There are great park spaces, fortunately reserved by wise municipal policy for the health, comfort and convenience of the residents in that portion of the City. Through this park and residential area, the New York Central Railroad operates its regular steam locomotives, switching and jamming its cars about at all hours of the day and night, pouring huge clouds of coal smoke out over the park and into the homes of citizens. For thousands of men, women and children in the upper West Side, Riverside Park and the spaces reserved along Riverside Drive afford the only opportunity for outdoor life and recreation. As we stated before this Commission, the health and safety of children on the West Side are no less vital than the speedy delivery of freight in Manhattan.

State as Well as City Affected

These inadequate and archaic conditions and operating facilities are a matter of concern to every citizen of the State of New York. They obstruct the free flow of traffic between every farm

and factory in the State, and the State's chief market. The agricultural and producing interests of the entire State are directly affected because a part of the burden due to these inefficient methods falls upon them. The people of New York City are directly affected because the unnecessary costs reach into every household and there become a charge which cannot be passed on.

The fact that, despite these excessive costs, the City of New York continues to grow in population, manufactures and commerce does not justify the continuance of antiquated facilities. Business is entitled to prompt and economical handling of its freight and the people are entitled to the lowest possible charges on their daily supplies.

The necessity for immediate action and broad planning of terminal facilities on the basis of present and future requirements is further emphasized by the fact that New York City has in the past twenty years doubled in population; has increased its capital invested in industrial enterprises from about \$800,000,000 to approximately \$2,000,000,000; has now gathered within its borders nearly one-tenth of the wage earners of the country; and is producing annually nearly three billion dollars worth of manufactured goods — an amount almost equal to the entire output of Chicago, Philadelphia, St. Louis and Cleveland.

Millions for Passenger Traffic, Nothing for Freight

Notwithstanding these amazing facts, not a dollar has been spent on any comprehensive improvement of freight facilities on the Island of Manhattan during the past quarter of a century. During that period, over \$400,000,000 has been spent for subways and elevated extensions, and the New York Central and the Pennsylvania Railroads have built passenger terminals, involving an outlay of almost \$300,000,000. Thus approximately \$700,000,000 has been expended in various ways in the improvement of passenger transportation and scarcely a dollar to improve the facilities for transporting quickly and economically the things produced by manufacturers or required in daily life.

Clearly the time has come to bring the long controversy to a close. Three city administrations have had the problem before them, and it is still unsolved. The attitude of the New York

Central has led many to think that it was more deeply interested in maintaining its existing claims and in securing additional and exclusive rights than in the development of its freight facilities. Politics, prejudice and personalities must now be put aside for the common good.

When the Commission reviews these deplorable conditions existing on the West Side, and considers the twelve years of futile legislation, litigation and negotiation, it cannot resist the conclusion that a far-reaching and comprehensive plan, acceptable to the citizens and business interests of the City, must be adopted and carried into execution by some public authority amply endowed with powers and firmly held to undoubted responsibility for seeing through to the end the task committed to it.

Co-operation of Federal Government

Obviously, the solution of this problem is related to the power of Congress to regulate interstate traffic, and especially to the more recent action of the Federal Government in assuming control over railroads.

The Commission, recognizing this fact, therefore sent a delegation from the Commission, together with its counsel, to Washington. On January 10th, 1918, they had an interview with Mr. McAdoo, Director-General of Railroads. They advised him as to the work of the Commission and its desire to take up with him the question of relating freight terminal facilities in the City of New York to the plans of the Federal Government. Mr. McAdoo stated that he was familiar with and deeply interested in the matter; that it was one of vital importance, and that he wished to give consideration to it and co-operate in any way he could. He added, however, that just at that time, owing to the acute congestion of coal and other freight required for immediate use, he was not able to take it up, but that he would do so within sixty days. In the solution of this problem, therefore, the co-operation of the Federal Government will doubtless be forthcoming.

Increased Use of the Barge Canal

Much of the congestion in the harbor of New York as well as on the railroads centering there, is caused by freight designed for

export and coastwise shipping, all of which has but slight reference to the local business of the City.

The full utilization of the barge canal now approaching completion and the more intensive cultivation of the immense farming and agricultural regions of the West, as well as the rapid development of the manufacturing interests in the middle and northwestern sections of the country, will greatly increase this traffic.

All that section of the country directly tributary to the Great Lakes will find its cheapest and most rapid route to tide-water through the Great Lakes and down the valley of the Mohawk and the Hudson Rivers. This territory, in conjunction with the broad stretches of productive land in the Canadian Northwest, constitutes the greatest granary in the world. When the barge canal is opened it will seek outlet to European markets by this all-water route. That which does not will be attracted to the Canadian port of Montreal. The Canadian authorities see the possibility of this, and are considering the building of a canal from Georgian Bay to the headwaters of the Ottawa River. Should this project be completed, a vast volume of trade would be diverted to Montreal.

The State of New York has spent more than one hundred and fifty million dollars in the construction of an all-water route from the Lakes to the sea. It has never sought, nor received a dollar of Federal aid in the development of this great national waterway. At present the prism of this canal is actually deeper than the channel of the Hudson River for 30 miles below Albany.

To transfer this large volume of freight to steam cars at Albany involves an extra and expensive handling of the freight, and needlessly congests the railroads. To tow it down the Hudson River and there transfer it to steamships needlessly congests the harbor of New York.

To do either adds to the carrying charges the cost of this 150 miles of transportation, for, if put upon ocean steamships at Albany, the freight rate from there to any foreign port is precisely the same as from New York.

To secure the full use of the barge canal, the Federal Government, which alone has the power, should deepen the channel of the River from the city of Hudson north to Albany. Provision for the Federal survey of this has been made. The relief which such an improvement would afford justifies this commission in urging the Governor and the Legislature to call the attention of the Senators and Congressmen from this State to the necessity of doing this work.

Necessary Features of a Comprehensive Solution

The public interests are paramount, and any plan for the solution of the West Side problem should provide for all interests, business and residential, present and future, on comprehensive lines and to the satisfaction of the community; any narrow or short-sighted plan is doomed to failure.

The powers of the State over railroads and their franchises and terminals are extensive, and if no proper agreement can be reached these powers should be used in the public interest with full regard for the property rights of the railroad companies and always in a constructive way.

Investigation of conditions and study of requirements has led the Commission to the conclusion that a comprehensive plan necessary for the solution of the problem should embrace the following features:

(1) A subway or elevated freight terminal system along the West Side beginning at Sixtieth Street, and continuing south as far below Canal Street as traffic may require, with intermediate zone stations; this system to be used by all the railroads delivering freight on the West Side of Manhattan.

(2) A tunnel or tunnels under the Hudson River to handle New York City freight, connecting classification yards in New Jersey with the terminal system in Manhattan.

(3) Through Riverside Park, tracks of the New York Central should not be extended east of the present right of way, should be covered, and depressed to a depth determined upon by engineers as feasible in view of the waterfront and operating conditions. All improvements along the riverfront from Seventy-second Street

to Spuyten Duyvil should be arranged with full consideration of parks and residential requirements.

(4) Any enlargement of the trackage north of Sixtieth Street should be made with due regard to the needs of the increasing population of Harlem and the Bronx, and to the question of local and suburban passenger service on the West Side.

(5) The Manhattanville yards should be located east of the main-line tracks.

(6) Steam as a motive power in New York City should be eliminated.

(7) All railroad tracks on the West Side of Manhattan along the streets and avenues should be removed from street level.

(8) The City's policy of owning its waterfront should be enforced and extended, and provision should be made for unobstructed access along streets to the waterfront as public needs require.

(9) Consideration of a plan for store-door delivery by motor trucks, to work in harmony with the terminal system.

(10) Provision as to the location of terminal markets.

(11) Provision as to the enlargement of the terminal facilities to cover other sections of the city and to fit in with any general plan of the port.

(12) Pending execution of comprehensive plans, any adjustment or action involving the rights and facilities of the New York Central Railroad should be in harmony with the foregoing features.

Method of Effecting Solution

Authorities differ radically as to whether such joint terminal system below Sixtieth Street should be a subway or elevated road. If the marginal way is used, a subway seems impracticable for physical and other reasons, though such method is not without supporters. If Tenth or Eleventh Avenue is used, the Commission believes that a subway construction would be preferable. The Commission does not undertake, in the limited time allowed it, to arrive at a definite recommendation as to the location or the character of construction of such system. These questions should be left to a body such as hereinafter recommended.

Mr. Ira A. Place, Vice-President of the New York Central, in his testimony before the Commission, stated that if a municipal terminal system were created, the New York Central would be its best customer. The Commission believes that the New York Central Railroad Company, as the result of negotiations, may decide that its best interests will require it to join with other transportation corporations in a unified freight terminal. This Commission is advised that the abandonment of said company's exclusive occupation on the West Side can be legally enforced if equivalent facilities are provided, though perhaps the company should be allowed to operate a connecting link between the Sixtieth and Thirtieth Street yards as a subway, in such manner as not to interfere with the joint terminal system herein suggested.

If authority is vested in a Commission, as proposed in this report, your Commission believes that it can be demonstrated to all railroads delivering freight along the West Side of Manhattan, that it would be to their advantage to co-operate in a plan for joint terminal facilities. This Commission is advised that co-operation of these railroads in the joint use of facilities on the Island of Manhattan can be compelled, on proper terms, by State and Federal authorities.

The Commission is of the opinion that the City of New York should develop a municipally owned freight terminal system as above outlined. It is imperative, however, that there be no further delay. Therefore this Commission believes that if the City, in co-operation with a Commission as herein proposed, is not in position to finance and construct such a system promptly, then said Commission, under the authority granted to it, should arrange for the building of such a terminal system, either by the railroads in co-operation, or by an independent terminal company, with approved safeguards as to the terms and conditions of construction, financing and operation.

The Commission submits herewith a report prepared by its engineer, Mr. Amos Schaeffer, outlining the economic and engineering aspects of a comprehensive terminal system. (See Appendix I.)

Proposed Legislation

The task of accomplishing the purposes outlined above is difficult and complicated and it can be accomplished only by a body which can give to it full and necessary expert attention, which will be free from politics, which will work in harmony with the City and the Public Service Commission, which will represent the City and State for all necessary purposes of the work and which will have all public powers for the accomplishment of the desired result by agreements, if possible, and by compulsion, if necessary.

Under existing statutory provisions, as hereinafter shown, no practical results have been obtained.

The recognized method for solution of problems in connection with the development of great public utilities is to delegate full power, and leave the detail work to a commission. This was the method adopted in the Buffalo Terminal Station Commission, the Catskill Water Commission, the Rapid Transit Commission and the new Food Commission.

This Commission therefore proposes a legislative measure (see appendix III) which it is believed provides such a method.

The scheme of the proposed act contemplates a body amply equipped with power to secure the necessary terminal facilities and the removal of tracks from the surface of streets and parks in New York City, either by contract or compulsion.

The body provided is a Commission of seven members, including the Mayor and Comptroller of the City of New York, ex-officio, two members of the Public Service Commission of the First District, designated by the Governor, and three additional members appointed by the Governor, two of whom must be residents of the City of New York, and one of whom shall be designated by the Governor as Chairman.

The Commission is given power to effectuate any of the following plans:

First: The construction of a municipal terminal system by the City in agreement with the various railroads; or

Second: The arrangement of a unified joint terminal system on the West Side of Manhattan by agreement with the New York Central Railroad and other railroad and transportation companies

concerned; or the construction of such terminal system by a private terminal company; or

Third: By imposing, if necessary, compulsion upon the various railroads to require them to construct and operate all necessary terminal facilities, or if such facilities have been constructed to join in the use and operation of the same.

The Commission would have ample authority pending the adoption of comprehensive plans to adjust and improve the existing terminal facilities of the New York Central Railroad or of any other transportation company subject to the proposed act.

General and specific methods of enforcement are provided with the necessary procedure.

Recommendations

Your Commission recommends:

1. The creation of a Commission with plenary powers as provided for in the proposed legislative act herewith submitted.

2. That Chapter 777 of the Laws of 1911 and Chapter 719 of the Laws of 1917 be repealed, as the proposed legislative measure provides.

PART II

Duties Imposed Upon This Commission by Law

The duties imposed upon your Commission fall under two main heads.

In the first place, the Commission is charged with investigating the practical effect and progress made in carrying out the provisions of Chapter 777 of the Laws of 1911, and with investigating all acts, proceedings and measures of the Board of Estimate and Apportionment of the City of New York, and of the New York Central Railroad Company, under the provisions of such chapter, and all plans, profiles and agreements made and proposed thereunder, and the nature and value of property affected or which may be affected by such acts, proceedings and measures.

In the second place, your Commission is instructed to accompany the report of its acts, proceedings and conclusions with such recommendations and proposed legislative measures as it may deem proper. This section of the law lays upon your Commission the duty of recommending to the Legislature and the Governor constructive proposals as to the proper solution of the West Side problem, such proposals to be based upon its inquiry into terminal conditions on the West Side.

The Commission selected as counsel, John C. Clark, as engineering advisor, Amos Schaeffer, and as secretary, T. E. Niles.

The Commission found that a large number of reports, briefs, statements, documents of various kinds and statistical studies had been prepared and printed on various phases relating to the West Side Improvement. Copies of these were secured, examined and studied by the Commission. Invitation was given to the public, stating that any information or suggestions relating to the matters under investigation would be gladly received by the Commission. Frequent executive sessions were held for conference and discussion, and often at such sessions, representatives of public bodies, of various organizations interested in the situation, of the different railroads and experts in freight and terminal problems were present to confer and discuss with the Commission the questions involved. Your Commission extended its invitation in

every direction which it believed would furnish information helpful in its work. Many public hearings were held at the Chamber of Commerce and at the Merchants' Association, as is shown by the testimony submitted with this report. All this required practically the constant daily effort and attention of the members of the Commission, inasmuch as the time allotted for its inquiry into this extended subject was limited to less than three months.

As to the nature and value of property affected by the acts, proceedings and measures of the city and the New York Central Railroad Company, under Chapter 777 of the Laws of 1911, your Commission takes no position for the reason that the time at its disposal has not permitted the exhaustive research into real estate titles which is necessary for a thorough report, and for the further reason that the Public Service Commission is now conducting at considerable expense an extensive inquiry into that matter with a view to reporting in the near future.

PART III

History of the Relation of the State and City of New York to the New York Central Railroad Company and Its Predecessors

I. FIRST PERIOD, 1846 TO 1869

The Hudson River Railroad Company, which laid the first tracks on the West Side, was chartered by an Act of the New York Legislature, passed on May 12, 1846 (Chapter 216 of the Laws of 1846). That Act provided, first, for the organization of a corporation known as the Hudson River Railroad Company; second, it authorized the said company to construct a single, double or treble railroad or way between the cities of New York and Albany, commencing in the City of New York, with the consent of that City; third, it empowered the Company to construct such branch or branches for depot and station accommodations as might be required for the business of said railroad; fourth, it authorized the said railroad company "to transport, take, or carry any property or persons upon the same by the power and force of steam, of animals or of any mechanical or other power, or of any combination of them, for the term of fifty years from the passage of this Act."

In addition to dealing with such matters as subscriptions to stock, surveys for the railroad, the acquisition of right of way, the number of directors and the construction of crossings and bridges and other details incidental to the building and the operation of the road, the law of 1846 expressly provided in section 36 that "the Legislature may at any time alter or repeal this Act." Furthermore, the Act provided that the directors of the Hudson River Railroad Company might "locate their railroad on any of the streets or avenues of the City of New York westerly of and including the Eighth Avenue, and on or westerly of Hudson street, provided the assent of the corporation of said city be first obtained for such location."

Pursuant to the provision of the Act of 1846, an ordinance was passed on May 6th, 1847, by the City of New York, author-

izing the Hudson River Railroad Company to construct a double track of rails with suitable turn-outs along the line of the Hudson River from Spuyten Duyvil Creek to near Sixty-eighth Street, occupying as much of Twelfth Avenue as lies along the shore, then winding from the shore so as to intersect Eleventh Avenue at or near Sixtieth Street; thence through the middle of Eleventh Avenue to about Thirty-second Street; thence on a curve to Tenth Avenue, intersecting Tenth Avenue at or near Thirtieth Street; thence through the middle of Tenth Avenue to West Street, and thence through the middle of West Street to Canal Street.

The City of New York, in said ordinance, was careful to lay certain fundamental restrictions on the railroads in behalf of public interest and, in making the contract with the city, the railroad company made a covenant to abide by the restrictions.

This ordinance required the railroad company to "lay their rails or tracks in the streets or avenues in such manner as to cause no unnecessary impediment to the common and ordinary use of the street for all other purposes, and so as to leave all the water-courses free and unobstructed."

It was also expressly provided in the said ordinance that "it shall be especially incumbent on the said Hudson River Railroad Company, at their own cost, to construct stone bridges across such of the streets intersected by the railroad, as may, by the elevation of their grades above the surface of said road, require to be arched or bridged whenever in the opinion of the Common Council the same shall be necessary for public convenience; and also to make such embankments or excavations as the Common Council may deem necessary to render the passage over the railroad and embankments at the cross-streets easy and convenient for all the purposes for which streets and roads are usually put to."

The ordinance likewise provided that the said company "shall be at all times subject to such regulations, with reference to the convenience of public travel through such streets and avenues as are affected by the said railroad, as the Common Council shall, from time to time, by resolution or ordinance, direct."

The railroad company, in an agreement dated the 12th day of August, 1847, expressly bound itself to abide by the terms and limitations and restrictions of the ordinance of May 6th, 1847, and recited in such covenant the said restrictions and limitations.

In the exercise of its rights to control its streets in the public interest, the City of New York, from time to time, passed special ordinances regulating the use of the streets occupied by the railroad.

Under the Act of 1846 and the several ordinances passed by the City of New York, the Hudson River Railroad Company operated its facilities as a separate corporation until the year 1869.

II. SECOND PERIOD, 1869 TO 1906

In the year 1869 the Legislature of the State of New York enacted a general law (Chapter 917, of the Laws of 1869) authorizing the consolidation of railroad companies "whenever the two or more railroads of the companies or corporations so to be consolidated, shall or may form a continuous line of railroad with each other."

While authorizing the railroads to consolidate under the general terms of the law and to make certain general arrangements as to the management and conduct of their affairs, this Act of 1869 specifically provided that any consolidation, consummated by the railroad companies under its provisions, "shall not release such new corporation from any of the restrictions, disabilities, or duties of the several corporations so consolidated."

The rights of the railroad companies consolidating under this Act were not expanded, but it was expressly stated in the law that "upon the consummation of said act of consolidation as aforesaid, all and singular, the rights, privileges, exemptions, and franchises of each of said corporations, parties to the same, and all the property, real, personal and mixed * * * shall be taken and deemed to be transferred to and vested in such new corporation, without further act or deed; and all claims, demands, property, rights of way and every other interest shall be as effectually the property of the new corporations as they were of the former corporations, parties to the said agreement and act."

Under this Act of 1869, the consolidation of the Hudson River Railroad Company with the New York Central Railroad Company was effected. The Act did not expressly extend the term or enlarge any of the rights of the Hudson River Railroad Company. No enlargement of the privileges of the old Hudson

River Railroad Company took place as the automatic result of the mere consolidation under the law of 1869.

The method of the extension of the original fifty-year limit of the right of the Hudson River Railroad Company to "transport, take or carry any property or persons," was, that when the stockholders of the Hudson River Railroad Company and the New York Central Railroad Company entered into articles of agreement, they provided that the two companies should form one corporation, and in the agreement they stipulated that "said corporation shall continue for the term of 500 years."

The Legislature, by an Act passed in 1885 (Chapter 496 of the Laws of 1885) provided for the laying out of Riverside Park between Seventy-ninth Street and 129th Street, in the City of New York. Section 2 of this Act ends with these words, "but nothing herein contained shall affect the rights and franchises of the New York Central and Hudson River Railroad Company."

In 1887, the Legislature passed an Act (Chapter 714 of the Laws of 1887) relating to the improvement of the City of New York between the southerly line of Sixtieth Street and the southerly line of Seventy-second Street, lying west of the easterly line of lands held by the New York Central and Hudson River Railroad Company. Section 1 of this Act provided as follows:

"It shall be lawful for, and the New York Central and Hudson River Railroad Company are hereby authorized, to cause a parapet wall to be erected and thereafter maintained upon a line bounding their terminal yard on the North River, on the East on the westerly line of Eleventh Avenue, from the southerly line of Sixtieth Street to the southerly line of Sixty-first Street, and thence northerly on the easterly property line of said company, and until it intersects the northerly line of Seventy-second Street at a point distant 611.5 feet westerly from Eleventh Avenue; and all the portions of the streets between the said wall and the North or Hudson River, including Twelfth Avenue, are hereby discontinued upon the map or plan of the City, and closed."

The parapet wall authorized by this Act was constructed where it still exists.

From 1869 the New York Central and Hudson River Railroad Company operated its trains on the West Side subject to the laws

of the State and the ordinances of the City passed from time to time.

Since 1840 the population of the City of New York has increased from 390,000 to nearly 6,000,000. The whole of the West Side above Fourteenth Street, which was sparsely settled when the company's tracks were first laid, was closely built up with houses and business places. In the course of time, the company found itself operating locomotives and freight cars in crowded streets of a great metropolis. This operation became a steadily growing menace to life and limb and property, and Tenth Avenue became notorious as "Death Avenue."

About 1880 there arose a protest against the operation of trains at grade, and this protest became more and more vigorous as the years went by. Added to this protest, there arose later the objections of the important Riverside residential section to the nuisance of the railroad as operated over open tracks with steam as a motive power along Riverside Drive.

III. THIRD PERIOD, 1906-1911

The Legislature took notice of these growing protests and enacted Chapter 109 of the Laws of 1906.

The purpose of this Act was to end the use of the streets of New York in the Borough of Manhattan by railroads operating steam locomotives at grade. It authorized the Rapid Transit Commissioners to draft plans for the removal of tracks, and provided that in case the said Board could not, within twelve months, come to an agreement with the railroad company, it should "condemn all and any rights, privileges and franchises of any such railroad company or companies, to operate by locomotives using steam or other power . . . at grade."

In order that such condemnation might be effected, the Board was instructed to direct the Counsel of the Corporation of the City of New York to go forward with condemnation proceedings.

Under this Act, a special Committee of the Board of Rapid Transit Commissioners held conferences with the representatives of the Railroad Companies (as appears by the report to the Board under date of February 25, 1907), during the course of which the said company agreed "to build a subway at its own expense from

its present freight yard at or about Thirtieth Street and Eleventh Avenue, up Eleventh Avenue, to the point where it will join the present track system between Sixty-first and Sixty-seventh Streets and Twelfth Avenue." At such conferences, it was also agreed that the disposition of the company's tracks south of Thirtieth Street should be the subject of further examination and discussion.

In spite of this apparently favorable development, nothing further was accomplished under Chapter 109 of the Laws of 1906, for the reason, among other things, that the Board of Rapid Transit Commissioners believed that additional legislation was necessary.

In pursuance of a report of a sub-committee of the Board of Rapid Transit Commissioners, a bill was introduced into the Legislature in 1909 requiring the New York Central and the Hudson River Railroad Company to submit plans for its tracks on the West Side of the City to the Public Service Commission (the successor of the Board of Rapid Transit Commissioners) and to the Board of Estimate and Apportionment of the City of New York for approval. This measure also provided that from Seventy-ninth Street tracks northward were to be elevated with bridges over certain streets mentioned in the Act, and that at West Fifty-ninth Street, and south thereof, the tracks were to be placed either upon an elevated structure or in a subway. The bill passed both branches of the Legislature but was vetoed by Mayor McClellan on May 15th, 1909, on the ground that heavy damages might be awarded against the City if the elevated road were built. The bill did not become a law.

By resolution adopted on May 21, 1909, the Board of Estimate and Apportionment, after calling attention to the desirability of judicial determination of the rights of the railroad company, instructed the Corporation Counsel to report as to whether there were any substantial doubts as to the legal rights of the company and what action should be taken in order to have the question adjudicated.

In his report to the Board of Estimate and Apportionment, the Corporation Counsel said:

"Applying the well-recognized rule that franchises are construed most strongly in favor of the public, and as against the

grantee, I am of the opinion that it cannot be successfully maintained that the Act of 1869 contains a clear expression of legislative intention to extend the franchise of the Hudson River Railroad Company to use the streets without the assent of the City for the long period of 500 years or in perpetuity.

“Any doubt on the subject of what the Legislature intended by the Act of 1869 should be resolved in favor of the public.

“Therefore, to raise the question so that it may be judicially determined as speedily as possible I advise you to instruct the Borough President to at once give notice to the company to remove its tracks from the streets on the West Side within thirty days from the receipt of such notice, and on failure to do so the Borough President will immediately proceed to tear up said tracks and remove them from the streets, and the expense of such removal and of the restoration of said streets to their former condition will be charged against the company.”

Acting on this report, the President of the Borough of Manhattan, on June 4, 1909, served notice upon the railroad company to remove its tracks within thirty days. Thereupon began the litigation which culminated in a decision of the Court of Appeals on May 19, 1911 (202 N. Y. 212), in which the Court decided that the limitation of fifty years in the Act of 1846 applied “to the corporate existence of the Hudson River Railroad Company only (which might be extended), and not at all to the location of its tracks in the streets of New York.” The Court further held that the Legislature “gave the City no authority to withdraw or cancel the franchise after it had once been made effective by the City’s consent. Assuming the existence of that power in any one, it belonged, and still belongs, to the Legislature and not to the Corporation of the City of New York.”

Judge Cullen, in concurring with Judge Bartlett, who rendered the opinion of the Court said, “I concur in the opinion of Judge Willard Bartlett and also in the expression of his personal view as to the power of the Legislature to modify or regulate the franchise given by the State for the location of the plaintiff’s railroad in the City of New York.”

When it was made clear by the decision of the Court of Appeals rendered in May, 1911, in 202 N. Y., 212, that the City was

powerless to effect anything approaching a solution of the West Side problem, the Legislature in June, 1911, enacted Chapter 777 of the Laws of 1911.

IV. FOURTH PERIOD, 1911 TO 1917

Review of Practical Effect and Progress Made in Carrying Out the Provisions of Chapter 777 of the Laws of 1911

The terms of Chapter 777 of the Laws of 1911 are clear and explicit. It requires the railroad company to submit on or before October 1st, 1911, to the Board of Estimate and Apportionment plans and profiles of changes necessary to discontinue the use at grade for railroad purposes of the streets, avenues, public parks or places. The Board of Estimate and Apportionment was empowered to enter into a contract with the New York Central Railroad for carrying into effect the plans necessary to accomplish the purposes of the act, and among other things, it was authorized to grant to the railroad company, rights, interests, and easements in lands, or lands under water, in streets, avenues, public parks, or places necessary for making alterations provided for in the agreement between the City and the Railroad Company.

Acting under the provisions of this law, the New York Central Railroad Company submitted its plans and profiles on September 28th, 1911. They were referred to the Commissioner of Docks who reported thereon, under date of November 2, 1911. Thereupon, the matter was referred to a committee composed of John Purroy Mitchel, President of the Board of Aldermen, Chairman; William A. Prendergast, Comptroller; George McAneny, President of the Borough of Manhattan, and Nelson P. Lewis, Chief Engineer of the Board of Estimate and Apportionment. In March, 1913, this Committee reported back to the Board of Estimate and Apportionment some modifications of the plans and profiles presented by the railroad company and recommendations as to the character of the agreement to be made. This report became known as the Plan of 1913.

Owing to the resignation of Mr. Mitchel as President of the Board of Aldermen, the matter was referred to a new Committee consisting of George McAneny, President of the Borough

of Manhattan, Chairman; William A. Prendergast Comptroller; Cyrus C. Miller, President of the Borough of The Bronx, and Nelson P. Lewis, Chief Engineer of the Board of Estimate and Apportionment.

According to the testimony of Mr. Prendergast before this Commission, nothing was done because a municipal election was pending, and it was the feeling of the Committee "that the subject was altogether too big to make any attempt to settle it within the remaining months of the administration."

When the new administration was organized in January, 1914, another Committee, on Port and Terminal Facilities, was appointed to deal with the West Side matter. This Committee consisted of William A. Prendergast, Comptroller, Chairman; Marcus M. Marks, President of the Borough of Manhattan; Lewis H. Pounds, President of the Borough of Brooklyn, and R. A. C. Smith, Commissioner of Docks. The Committee called to its aid a staff of engineers and entered into negotiations with the representatives of the railroad company for the purpose of revising and modifying plans theretofore presented and reaching a final agreement. Prolonged negotiation with the New York Central Railroad Company followed. There seems to have been little, if any, attempt made to secure the co-operation of the New Jersey railroads.

On January 15th, 1916, this Committee announced that the negotiations with the Railroad Company had "resulted in a settlement of the West Side question which will effect a removal of all railroad tracks from street surfaces," on the basis of certain principles laid down in a memorandum initialled by John Purroy Mitchel, William A. Prendergast, Marcus M. Marks, Lewis H. Pounds, and R. A. C. Smith. After enumerating certain general terms of the settlement, the memorandum concluded by stating that "before entering into the legal agreement between the railroad and the City, the Board of Estimate and Apportionment will have made available for a period of thirty days a complete report accompanied by plans, so that the public may have a full opportunity to present their views."

Some difference of opinion has developed as to the significance of the initialling of these original plans. Mr. Place stated

"from the day when this agreement was reached to the day on which the Ottinger Bill became a law, the representatives of the City (with exception of the President of the Borough of Manhattan) and the representatives of the railroad company acted in good faith in accordance with the understanding so reached. The railroad company, regarding the matter as closed, proceeded to acquire lands necessary to carry out the improvement in accordance with such understanding, and expended therefor many thousands of dollars."

Mr. Marks, on the other hand, in his testimony before the Commission, stated that his initials on the memorandum did not indicate that he approved the memorandum as such. It was his view that the preliminary plan in the memorandum was merely a report of the Committee to the Board of Estimate and Apportionment and did not commit the members to the final adoption of that plan. Mr. Marks said, "I signed the same to avoid delay, only as a presentation for general discussion, reserving my later right, as a member of the Board of Estimate, to vote against any part of the plan or contract, that fair criticism may reveal as against the public interests."

Whatever may have been the significance of the initialling of the tentative plan of January 15th, 1916, the representatives of the City and the railroad company proceeded at once with the revision of the plan and with the elaboration of the details. This work was completed on or about April 6th, 1916, and signed by "each member of the Committee on Port and Terminal Facilities, by the three engineers representing the City, and on behalf of the railroad company by its engineer and Vice-President."

The important steps in the further development of the proposed agreement between the City and the railroad company were as follows:

1. April 6th, 1916, report of the Committee on Port and Terminal Facilities to the Board of Estimate and Apportionment, including the new plans and profiles elaborating the tentative agreement of January 15th, 1916. A second, and more complete, report was made on April 22d, 1916.

2. April 7th, 1916, resolution of the Board of Estimate and Apportionment directing the submission of such plans and profiles

to the railroad company as representing the changes which the City proposed in the railroad structures, yards, stations, or terminal facilities. On the same day the Board of Estimate and Apportionment requested the Corporation Counsel to prepare a form of agreement carrying out the recommendations of the Committee and fixed a time for a public hearing.

3. May 1st, 1916, public hearing of the Board of Estimate and Apportionment on the plan.

4. May 10th, 1916, reference of the proposed contract back to the Committee on Port and Terminal Facilities for further consideration.

5. May 12th, 1916, report of the said Committee containing modifications of the said plans for the purpose of answering certain objections made at the public hearings.

6. January 15th, 1917, a taxpayer's action was brought in the Supreme Court of Kings County by the Society for the Prevention of Municipal Waste against the members of the Board of Estimate and Apportionment to restrain consideration or approval of any agreement between the City and railroad company designed to carry into effect the proposed plans and profiles. This action was dismissed by Mr. Justice Manning on April 18th, 1917, after a trial of the case.

7. January 19th, 1917, submission by the Corporation Counsel to the Board of Estimate and Apportionment of a proposed form of agreement and deed in detail.

8. January 20th, 1917, report to the Mayor on real estate valuation, made by George R. Read & Co., especially employed by the City to examine such valuation with a view to discovering the validity of criticism which had been advanced against the appraisals originally made by the real estate expert of the Department of Finance.

9. May 24th, 1917, report of a Committee appointed by the Real Estate Board to examine the value of the lands and easements involved in the proposed agreement with the New York Central.

While these negotiations between the railroad company and the city were being carried forward, a strong public sentiment against the proposed agreement was steadily developing.

The fundamental objections made to the proposed agreement were as follows:

1. That the transfer to the railroad company of valuable waterfront reversed the carefully considered and maturely developed policy of the city in favor of public ownership of the waterfront.
2. That the proposed grant of trackage rights, easements, fees to land, and enlarged operating privileges was in perpetuity.
3. That the proposed contract contained no provision guarding the city against the future capitalization by the railroad company of the intangible rights and privileges granted by the contract, which would in time become more valuable than any concessions made by the railroad company in the agreement.
4. That while provision was made for the possible construction of additional tracks alongside the new trackage of the New York Central between certain points, no reservation was made in the contract for the right of the public authorities in case it was found desirable at a later date to construct a joint terminal system, to acquire the structures of the New York Central terminal at the mere physical value of the same, without paying damages for the intangible rights granted by the City to the New York Central.
5. That no sufficient evidence had been advanced to show that the public convenience and the necessities and needs of the New York Central Railroad required a grant of such extensive new facilities, but that on the contrary, the New York Central in safeguarding its own interests was attempting to secure a monopoly of larger rights and facilities than its needs required.
6. That the granting to the railroad company of the privilege of constructing its tracks along a private right of way below Thirtieth Street, enabled it to transform a present indefinite and uncertain right subject to special regulation under the police power into a property right held in fee forever, constituting a practical possession by the railroad company of all the blocks of property between Thirtieth Street and Canal Street, a veritable Chinese Wall between the City and the waterfront.

7. That the New York Central Railroad Company had no title to two-thirds of the land which it occupies north of Fifty-ninth Street, and that it had no title at all south of Fifty-ninth Street.

8. That the surrender of the City's waterfront at the Sixtieth Street yard was in violation of the policy that had been followed by the City for nearly fifty years.

9. That the cut through Riverside Park would practically destroy the usefulness of that park during construction, destroy the trees and shrubbery and prevent the future growth of trees in the thin sub-soil to be laid over the tracks of the company.

10. The objections to the treatment of the Manhattanville yard were three in number: (a) Against the enlargement of the yard to such a proportion in the location proposed as to constitute a nuisance along Riverside Drive; (b) Against the surrender of waterfront rights; and (c) Against the size of the yards provided for on the ground that so much space was not needed for terminal facilities but would be used for storing, classifying and switching freight.

Your Commission believes that there is force in many of these objections. As that plan has now been abandoned there is no reason for discussing these objections in detail, but it is the opinion of the Commission that that proposed agreement was open to the serious criticism that it did not provide for such a comprehensive treatment of the freight terminal situation as the interests and welfare of the city demanded, and that it left the development of the West Side terminal facilities in too large a degree in the exclusive and permanent control of the New York Central Railroad Company, a condition which should not be permitted to exist.

Negotiations continued with the view to bringing the contract with the railroad company to a conclusion. However, the Board of Estimate and Apportionment, according to the testimony of Mr. Prendergast, never reached the stage where a vote could be taken, or the members were ready to vote. He stated that no attempt was made to put the contract through the Board of Estimate and Apportionment, partly on the ground that certain legislation was pending. He added, that, in his opinion, a requisite majority could not have been mustered in the Board of Estimate and

Apportionment, but that an effort would have been made to reach a conclusion if the Legislature of 1917 had adjourned without taking any action on the West Side matter.

**Action After the Passage of Chapter 719 of the Laws of 1917
Amending Chapter 777 of the Laws of 1911**

Opposition to the consummation of the proposed agreement between the City of New York and the New York Central Railroad Company, under Chapter 777 of the Laws of 1911, led to the introduction of the so-called Ottinger Bill in the Senate and Assembly on January 3, 1917. About a month later, Governor Whitman requested the Public Service Commission of the First District to report to him "upon the value of lands and rights under the proposed agreement between the City of New York and the New York Central Railroad Company relative to the West Side tracks." In response to this request, the Public Service Commission made an investigation and reported adversely to the proposed agreement and recommended additional legislation. Shortly after, the Ottinger Bill, so amended as to constitute a practically new measure, passed the Legislature. It was vetoed by Mayor Mitchel on May 7, 1917. It was thereupon repassed and became Chapter 719 of the Laws of 1917.

This Act among other things provided as follows:

1. That any agreement, plans and profiles must be approved by the Public Service Commission of the First District.
2. That the Board of Estimate and Apportionment and the said Public Service Commission might create a joint conference committee, to be composed of three members of the Board of Estimate and Apportionment, designated by the said Board, and two members of the said Commission designated by it, to consider any proposed agreement, plans, profiles and drawings.
3. That the compensation to be paid by the railroad company to the City for the use of streets should be a sum or rental prescribed in the agreement, and that there should be a readjustment of the amount of such annual payment at the end of each period of twenty-five years, and that in so readjusting such sum or rental, allowance might be made for any right to use any street surrendered by the company pursuant to the agreement.

4. That such sum or rental should not be considered in any manner in the nature of a tax, but that the payment of such sum or rental should be in addition to any and all taxes of any kind or description then or thereafter required to be paid by any ordinance of the City or resolution of the Board or any law of the State of New York.

5. That if no agreement had been reached with the railroad company by December 1, 1917, the Public Service Commission might proceed under the provisions set forth in the Act to compel the railroad to change the grade of its tracks in the streets.

After the passage of the Ottinger Law, the Committee on Port and Terminal Facilities of the Board of Estimate and Apportionment held its final meeting to consider the status of the proposed agreement of 1916. At that meeting it was agreed by the authorities of the city and the representatives of the railroad company that the proposed form of contract could not be closed under the mandatory provisions of Chapter 719 of the Laws of 1917. Speaking for the company, Mr. Place said in that connection: "It is to be borne in mind that on behalf of the railroad company, on January 15, 1916, I entered into large obligations in addition to and beyond the legal obligations of the company and at various subsequent conferences with the Port and Terminal Committee, those obligations have been increased. Up to the time of the enactment of Chapter 719 of the Laws of 1917, the company has stood ready to fulfill all those obligations. Upon the enactment of that statute, all those obligations were cancelled and the company is released therefrom."

Being unable to proceed because of the provisions of Chapter 719 of the Laws of 1917, this Committee of the Board of Estimate and Apportionment, on June 13, 1917, asked to be discharged from the further consideration of the West Side matter, and by resolution of the Board was so discharged.

Acting under the terms of this statute, the Chairman of the Public Service Commission designated Henry W. Hodge and Charles S. Hervey as members of the Joint Conference Committee, and the Mayor of the City, under authority of the Board of Estimate and Apportionment, designated Marcus M. Marks, President of the Borough of Manhattan; Maurice E. Connolly,

President of the Borough of Queens, and Calvin D. Van Name, President of the Borough of Richmond, as representatives of the City on such committee.

The Joint Conference Committee organized on the 18th day of June, 1917, by choosing Mr. Hodge as Chairman, William L. Ransom as Counsel and J. W. Adams as Secretary. Mr. Hodge subsequently resigned from the Committee to go into the service of the United States Army abroad. Mr. Hervey was selected as Chairman and Travis H. Whitney was designated to act in Mr. Hodge's place on the Committee.

The New York Central Railroad Company was invited to send representatives to a meeting of the Committee on the 21st day of June, 1917. Mr. Place, Vice-President of the company, attended and invited the Committee, if it had in mind or would formulate any better plan than that under consideration in 1916, to submit the same for the consideration of his company.

After this meeting, the Joint Conference Committee prepared certain tentative proposals and forwarded a copy of the same to the railroad company early in October, 1917. With respect to these proposals, on October 15, 1917, Mr. Place sent a statement to the committee in which he said that the "destructive and obstructive provisions and purposes" of Chapter 719 of the Laws of 1917 were mandatory in character and left no discretion with any one. He continued: "The necessary result is that the railroad company cannot and will not at any time or under any circumstances or conditions which can be proposed by any one under this statute make or enter into any contract."

A public hearing was held on these tentative proposals on the 18th day of October, 1917, and on October 30, 1917, Mr. Place, at the invitation of the Chairman of the Joint Conference Committee, attended a conference held by the Committee. On November 14, 1917, the Chairman of the Conference wrote a letter to Mr. Place in which he asked if the communication of Mr. Place contained in the statement of October 15th, accurately stated the position of the company. On November 16, 1917, Mr. Place replied, "that language accurately states the position of this company."

After this refusal by the railroad company to co-operate with

the public authorities under the provisions of the Ottinger Law, the Joint Conference Committee on November 20th, 1917, transmitted to the Board of Estimate and Apportionment a report of its tentative proposals, and what had occurred. The Committee added that, in view of what had transpired, it seemed unlikely that any agreement could be reached with the railroad company, and asked the Board to repeal the ordinance of 1847 which gave the assent of the City to the occupation of certain of its streets by the railroad company. The Board of Estimate referred the matter to the Corporation Counsel who reported that the proposed repeal of the ordinance could not be made effective. Acting on this opinion, the Board of Estimate and Apportionment at its meeting of November 30th, put the matter over until the first meeting of the Board in January, 1918, for action by the new City administration. At that meeting, the Board asked the present Corporation Counsel for his opinion. There this phase of the matter rests.

The Public Service Commission on December 3, 1917, took steps looking toward action under the provisions of Chapter 719 of the Laws of 1917 to compel the New York Central Railroad Company to change the grade of its tracks in the streets. Your Commission is of the opinion that if such a result were to be obtained it would not dispose of the problem. Indeed, it might greatly delay and interfere with the real solution of the situation.

Thus no practical results toward the solution of the West Side problem have been obtained under Chapter 777 of the Laws of 1911 or under Chapter 719 of the Laws of 1917.

Respectfully submitted,

WM. H. VAN BENSCHOTEN,
Chairman,

DANFORTH E. AINSWORTH,
CHARLES A. BEARD,
CYRUS C. MILLER,
RALPH S. ROUNDS,
HENRY L. STODDARD,
HIRAM C. TODD,

Commissioners.

New York, January 31, 1918.

APPENDICES

APPENDIX I

Report of Mr. Amos Schaeffer Outlining the Engineering and Economic Aspects of a Comprehensive Terminal System

JANUARY 25, 1918.

COMMISSION ON WEST SIDE IMPROVEMENT,
149 Broadway, New York City.

Dear Sirs: In compliance with your instructions to report upon the feasibility of a freight terminal railroad on the west side of Manhattan, which would co-ordinate with a comprehensive Port Development, I present the following:

Facilities Needed for a Comprehensive Development of the Port

Adequate facilities to handle the commerce of the Port of New York must consist of (1) a terminal railroad which will co-ordinate all of the railroads entering the port. Such a railroad should consist of a belt line on the New Jersey side of the river, connecting all of the New Jersey railroads to a common classification and transfer yard on that side and tunnels under the Hudson River to Manhattan and all the other boroughs, and connecting with the railroads which have all-rail entrance to the city. Such a road must be jointly operated so that freight from any railroad can be delivered in any part of the Greater City. Provision should be made to transfer through freight between New England and the West and South outside of the city.

They must include (2) a development of the waterfront by providing adequate piers for the largest ocean vessels having sufficient space and rail connections so that the railroads can receive and deliver freight directly at the piers:

They must include (3) adequate warehouse and cold storage facilities, both on the piers and inland, to provide for the storage of freight and food products, so that the cars may be immediately released. These warehouses would provide storage for merchan-

dise and would save the expense of a double haul from the railroad station to the merchants' warehouses and back to the station when the goods are sold.

Terminal facilities must also include (4) proper mechanical appliances for handling freight in the warehouses, on the piers and in the various freight stations, so that it can be economically loaded, unloaded and moved about the buildings.

In order to insure a free and unobstructed movement of freight to its destination, the foregoing plan should be supplemented by (5) motor truck store-door delivery, so that the piers and freight stations can be promptly cleared.

Such facilities offer great economies over the existing methods of handling freight, let alone the large additional economies in reducing trucking and delays in the delivery and receipt of freight at the stations, reducing the congestion of traffic on the streets, reducing the congestion of traffic in the harbor and many other economies in the way of better facilities and greater conveniences which can not be measured in money.

Definition of the Port of New York

The following description of the Port of New York is given by Henry C. Stuart, Special Collector of Customs: "Under the date of July 20, 1910, the Treasury Department expressed the opinion that the limits of the Port of New York, so far as the customs laws and regulations are concerned, 'should be considered as including all the territory lying within the corporate limits of the cities of Greater New York and Yonkers, N. Y., and Jersey City, N. J. and in addition thereto all the waters and shores of the Hudson River and Kill von Kull in the State of New Jersey from a point opposite Fort Washington to Bergen Point Light and the waters and shores of Newark Bay and the Hackensack River lying within Hudson County, N. J., from Bergen Point Light to the city limits of Jersey City.'"

The Metropolitan District

The territory which is directly affected by the conditions at the Port of New York is generally known as the Metropolitan District. This district comprises all the area within a radius of 19 miles of

City Hall. This includes all the counties of Greater New York, portions of Westchester and Nassau Counties in New York and portions of the Counties of Bergen, Passaic, Hudson, Essex, Union and Middlesex, N. J., in which, according to the Federal Census Bureau, are included the cities of Greater New York, New Rochelle, Mt. Vernon and Yonkers in the State of New York, and Jersey City, Hoboken, Weehawken, Newark, Elizabeth, Orange, Montclair, Paterson and smaller cities in the State of New Jersey. The total area embraced within this district is 964 square miles, of which approximately 300 are within the limits of Greater New York, and 664 in the remainder of the territory. (8994 I. C. C.—New Jersey Rate Case.) An estimate of the population within this district is 7,700,000.

Relative Importance of the Port

There are 771 miles of waterfront, of which 578 are in New York City and 193 in New Jersey. (Report, Chamber of Commerce, 1916–1917.) 125 miles of the New York waterfront are available for steamships and 59 miles are actually in commercial use. (Page 84, Report of the Com. of Corporations on Transportation by Water in the U. S. 1910.)

According to the census of 1914 or 1915, as given in the Fifty-ninth Annual Report of the Chamber of Commerce of the State of New York, the population of New York City is 4.89 per cent. of the population of the United States, its industries are 10.74 per cent. of those of the country and the value of its products is 9.46 per cent. The value added by manufactures is 10.77 per cent. of the total increased value of manufactures for the entire country.

Geographical Influence of the Port

There is also vitally interested in the facilities of the Port of New York the entire population of all the territory which depends wholly or partly upon the 39,700 miles of railroad of the nine trunk lines which enter the Port of New York, and also indirectly, the population which is dependent upon other railroads which exchange freight and passengers with these trunk lines.

The foreign commerce of the Port is carried in normal times

by 100 steamship lines, forty-seven of which sail to European ports, fifteen to West Indian and Mexican, fifteen to Central and South American, five to Australian, five to African, seven to Chinese, Japanese and Philippine, five to East Indian and Ceylon, and one to Pacific ports. (N. J. Rate Case.)

The Port of New York stands pre-eminent in the world in respect to the tonnage of vessels entering and clearing, while it is second only to London in the value of foreign trade. This trade in 1906 was in excess of 25,000,000 tons. It is safe to assume that it is at least 30,000,000 tons at present. The total traffic in New York Harbor, however, is far in excess of this quantity. In 1906 it amounted to 114,000,000 tons. (U. S. Census Report on Transportation by Water, p. 76.)

The foreign commerce of the Port of New York is in excess of 52 per cent. of the total commerce of the United States, and seven times that of any other port in the country. (59th Annual Report, Chamber of Commerce.)

The foregoing data give some idea of the magnitude and relative importance of the Port of New York, not only to the commerce of the United States, but to that of the world.

Quantity of Railroad Freight Tonnage Handled at the Port

In reply to a questionnaire of your Commission the New York Central Railroad Company submitted a statement showing the total tonnage over its lines, inbound and outbound for 1917, to be 11,390,000 tons. In his testimony before the Commission, Mr. Place stated that the New York Central handled 23½ per cent. (5,821,889 tons) of all the railroad freight consigned to the Borough of Manhattan, except that carried by the New York, New Haven and Hartford and the Long Island. (Memo. Ira H. Place to Com. on West Side Imp.)

If it be assumed that the percentage of freight handled by the New York Central bears the same relation to the total freight handled by all the railroads at the Port of New York as it does to that handled for Manhattan, then the total railroad freight, exclusive of that brought in over the New Haven Railroad and the Long Island Railroad, would be 48,500,000 tons.

Of the 11,390,000 tons of freight handled by the New York

Central at the Port of New York, the West Shore carried 6,507,000 tons. The New York Central, therefore, carried 4,883,000 tons. This amount deducted from 48,500,000 tons leaves 43,617,000 as the total tonnage of freight handled per annum by the New Jersey railroads. In the absence of more reliable data this tonnage will be assumed to be the freight handled by the New Jersey railroads. It does not include railroad company freight, which in the case of the New York Central is approximately 4 per cent. of the total amount.

Quantity of Railroad Freight Lightered or Floated

According to the report by the Examiner in the New Jersey Rate Case (8994 I. C. C.) "from 85 to 90 per cent. of the total tonnage coming to the New Jersey shore from the West is carried in lighters or on car floats to the east side of the harbor." If it be assumed that the same percentage of westbound freight originates on the east side of the harbor, at least 37,000,000 tons have to be lightered or floated annually.

In several reports prepared about 1912 or 1913, 30,000,000 tons were estimated to be the quantity of railroad freight handled by the New Jersey Railroads. A volume of 37,000,000 tons, therefore, would seem to be not an unreasonable figure for the total inbound and outbound freight handled by the New Jersey Railroads and their agents. This is exclusive of tonnage floated and lightered by the New York Central, the New Haven and the Long Island.

Rehandling of Freight

As hereinbefore stated, there was an exceptional traffic of 114,000,000 tons in New York harbor in 1906. The traffic today is very much in excess of this quantity. While this figure represents the total tonnage handled by the railroads, the foreign, coastwise and river steamers, it is very much in excess of the net commerce handled at the port. The assumption must be, therefore, that a very large tonnage is handled several times.

Operations Involved in the Movement of Freight

Freight handled by the New Jersey roads goes through several movements before it reaches its destination. Inbound freight

is placed either at an outside yard or transfer platform for consolidation, or it is brought directly to the terminal yard on the New Jersey waterfront.

Cars containing freight consigned to more than one station are placed at transfer platforms on the New Jersey Meadows and are reloaded by consolidating in one or more cars all the freight consigned to the same station. These cars are then delivered to the New Jersey waterfront. The next movement is to run them over a car-float bridge to a car-float, after which they are floated to the east side of the harbor, either to a pier station, where they are unloaded upon the pier, or to a float bridge across which they are moved to a shore station, where they are unloaded either into a freight house by the carrier or on trucks by the consignee and transported to the consignee's warehouse or other destination.

Each of these movements is separate and independent of the others and is performed by different train or yard crews. For example, the crew which brings a train load of freight from the West will leave all or part of it at the transfer platform. After consolidation, another crew will move the cars from the transfer platform to the waterfront yard in New Jersey. At this point there is another classification by loading on floats cars consigned to the different stations on the east side of the harbor. Still another crew moves them from the waterfront yard across the float bridge to the car-float. A tug then moves the car-float across the harbor either alongside of a pier where the contents are unloaded or to a float bridge if the cars are consigned to a shore yard. In the latter case another crew moves them across the float bridge to the unloading platform or team track in the shore yard. In the case of a car consigned to a pier station there are four separate movements and in that of one consigned to a shore yard there are five.

These operations are pointed out in detail to show the lack of continuous movement, and the consequent delays and waste of energy.

Freight for export is either held in the carrier's cars in the yard or unloaded to the carrier's pier and stored there until the

arrival of the vessel. It is then loaded upon a lighter and floated alongside for unloading into the vessel.

Carload freight is sometimes consigned to a private pier. If there is only one car in such a consignment, the railroad, rather than transport it to the pier on a car-float, will unload it to a lighter and float it to the pier. This necessitates an additional handling.

In order that freight may be moved as promptly as possible, loaded cars are placed at various stations in the morning for unloading. At pier stations the freight is unloaded by the carrier, sorted and stacked on the pier, from which it is trucked to its destination by the consignee.

Before these cars are unloaded trucks begin to arrive with outbound freight. On account of the congestion on the piers due to removal of the inbound freight, the former is delivered on the bulkhead, from which it is conveyed to the cars on the lighters on hand-propelled trucks, which are run from the bulkhead along the platform between the two lines of cars on the float.

Frequently two of these floats are placed end to end, so that some of the freight may have to be trucked for a distance of several hundred feet.

The operations for the handling of outbound freight are very similar to those for inbound. The carriers designate the cars at their pier and shore stations for routing to various division points or to their final destination. As the freight is received, it has to be sorted and loaded into the different cars. On account of the limit of time set for the receipt of freight, namely 4:00 or 4:30 in the afternoon, it is usually impossible to load these cars to their full capacity. The same process of consolidation and transfer is repeated, therefore, as for inbound freight.

Waterfront Occupation

According to information received from the Department of Docks and Ferries, the various railroads occupy fifty-three city-owned piers in New York City, at an annual rental of \$1,900,753.63, and fifty-two privately owned piers. As a contrast to

this waterfront occupation, the total number of shore yards of all the railroads in New York City is only twenty-seven.

On the New Jersey side of the river the railroad companies practically own all the shore front which they occupy.

According to the railroad companies' testimony in "Lighterage and Storage Regulations at New York," these facilities are not adequate. (35 I. C. C. 47.) In order to provide adequate facilities under the present methods of handling freight, a much greater use of the waterfront would have to be made.

There is a demand at present for additional waterfront by ocean steamship companies. Should terminal facilities be provided, so as to enable railroads to give up the use of their present waterfront, these steamship companies could be supplied with the needed space and at the same time the commerce of the port could be handled with a great deal more facility and speed than at present. The New Jersey Railroads could also give up the occupation of a large portion of their waterfront on the New Jersey side of the river. A large quantity of bulky freight is now floated and lightered from the New Jersey shore to South Brooklyn, where it is loaded on ocean steamers. The New Jersey waterfront occupied by the railroad companies could easily be made available for loading this export freight directly to ocean steamers.

Unit Cost of the Various Operations in Handling Freight

Various estimates have appeared from time to time as to the cost of the operations entering into the transportation of merchandise from the New Jersey Meadow by lighter or car-float to destination along the water front of New York. In "Lighterage and Storage Regulations at New York" (35 I. C. C. 47) reference is made to figures submitted by six railroad lines. The movements covered therein were as follows: Handling freight cars from yard to piers in New Jersey, piers to lighters, discharge from lighters, operation of vessels (water carriage) and maintenance of vessels. The cost of handling freight between piers and lighters is from 12 to 15 cents per ton, with a maximum of 18 cents; the water carriage rates are from 30 to 70 cents, although the latter figure possibly includes terminal charges. Mr. William J. Wilgus in his report on behalf of the Amsterdam Corporation, before the

Public Service Commission in 1908, quoted a cost for freight handling between cars and lighters of 15 cents; actual water carriage rate, 25 cents, and one water carriage rate of 79 cents per ton. This 79-cent rate includes handling freight at the Manhattan terminal.

Recent information from the New York Central shows a cost of handling cars over transfer bridge, including all proper charges, such as taxes, maintenance, bridge crews, etc., of a little over 14 cents per ton. The cost of car floating and marine equipment, from the same source, is 34.9 cents per ton.

Consideration of the above, together with other matter not necessary to be cited here, resulted in the following rates:

	Cents per ton
Moving cars from New Jersey meadows to New Jersey waterfront	15
Unloading car to New Jersey pier	15
Transferring freight from pier to lighter	15
Carriage by water	35
From lighter to pier or ship	15
Handling at pier	15
Cartage to consignee	80
Terminal expenses	35

The following tables show the different costs by lighter and by car float according to the operations involved in a number of assumed cases:

I. By Lighterage

	1	2	3	4	5	6	7	8	
Cost per ton	New Jersey Meadows to New Jersey waterfront	Unload from car to New Jersey pier	Unload to lighter	Carriage by water	Lighter to pier	Handling at pier	Cartage	Terminal expenses	
\$2.25	\$0 15	\$0 15	\$0 15	\$0 35	\$0 15	\$0 15	\$0 80	\$0 35	Complete movement.
2 15	15	.....	15	35	15	15	80	35	Direct from car to float New Jersey.
1 95	15	.....	15	35	15	.....	80	35	Direct from car to float New Jersey and no handling destination.
1 15	15	.....	15	35	15	.....	.....	35	Direct from car to float New Jersey and no cartage.

II. By Car Float

	1	2	3	4	or 4a	5	6	7	
Cost per ton	New Jersey Meadows to New Jersey water-front	Transfer yard to float	Water carriage	Unload from float to pier	Car to transfer yard	Handling on pier	Cartage	Terminal cost	
\$2 10	\$0 15	\$0 15	\$0 35	\$0 15	\$0 15	\$0 15	\$0 80	\$0 35	Unloading cars to pier.
1 95	15	15	35	.....	15	.....	80	35	To transfer yard.
1 15	15	15	35	.....	15	.....	.....	35	No cartage.

The foregoing tables, showing the cost of the various operations for moving freight, give the best data that are available without making original investigations and examinations into the movement of cars and the accounts of the railroad companies, which could be done only at great expense of time and money.

The cost of handling freight after it reaches the classification yards in New Jersey ranges from \$1.15 to \$2.25 per ton, depending upon the number of operations and the method of handling. The higher rate includes the cost of trucking at 80 cents per ton. Without information as to the respective tonnage which passes through the various operations, it is impossible to determine with any degree of accuracy what would be the average cost per ton. It would appear from the tables that a fair rate, including trucking, would be \$2 per ton. For the purpose of obtaining the total cost of handling this freight, \$1.15 per ton, exclusive of the cost of trucking, will be used. According to the tables this rate is low rather than high, and, therefore, is on the side of safety.

Total Cost of Handling the Railroad Freight at the Port of New York

As long ago as 1892, it was roughly computed that there were 35,000 trucks on Manhattan Island and that the annual cost of trucking alone was \$50,000,000. (Transportation by Water, 1910.) This amount is also given in the New Jersey Rate Case.

At present this amount is probably from 50 to 100 per cent greater.

Mr. Wilgus states that about 80 per cent of the railroad freight is trucked through the streets of the city. Accordingly, 80 per cent of 37,000,000 tons, or 29,600,000 tons, are trucked annually, at a cost of \$23,680,000. The cost of trucking has been given as high as \$2 a ton in several reports; the rate of 80 cents is, therefore, not too high.

At the rate of \$1.15 a ton, the terminal cost to the carriers for handling the railroad freight for New York City would be \$42,550,000. If the cost of trucking is included, the total terminal cost to destination would be \$66,230,000 per annum.

There are a number of other elements of cost in this particular phase of the problem which cannot be measured by a money value. Many of the railroad freight stations are located along the west shore of Manhattan. This is the most convenient and the least costly location to the railroads, but the least convenient and the most costly to a large percentage of the shippers and consignees of freight. It is possible for the railroads to use shore stations, but steamships must occupy the waterfront.

There is a constant demand by steamship companies for piers. The inability of the city to supply them is a loss in commerce to the city. This inappropriate use of the waterfront by the railroads constantly interferes with a proper development of the port. The lack of docking facilities for freight steamers on the New Jersey waterfront, where they could be loaded directly at the railroad yards, has necessitated the development of the Brooklyn waterfront for this purpose. A large portion of freight, therefore, has to be lightered and floated from the New Jersey waterfront to Brooklyn for loading on these vessels.

Present Methods Inadequate and Unsatisfactory

Present conditions are not the result of a preconceived and well thought out plan which can be progressively expanded, but that of an obstinate persistence in adhering to primitive methods.

The lightering of freight in New York harbor began in 1841. Suspension of Lighterage and Storage Regulations at New York,

35 I. C. C. 47.) From that time to this the same methods have been followed, with little improvement. They are just as obsolete for handling freight as horse cars would be for handling the passenger traffic of the city. The New Jersey railroads today claim that their present methods are the most economical. This statement is no doubt based on the fear or reluctance to embark upon a plan which will require a large new investment. A cursory glance at the economics of the problem will demonstrate that this is a narrow view.

The question of economies is not one of finding the cheapest method to the railroads of handling freight, but the cheapest and best for the whole community. The cheapest method for the railroads would be to deliver freight at the New Jersey shore. They have even suggested this.

The economical method is that which will correct the present shortcomings and permit a proper and gradual development of the waterfront for ocean commerce and the upland for railroad, commercial and industrial purposes. This kind of development must be applied to the entire commercial waterfront of the port. Many things must be considered in which the railroads have little or no interest. For this reason, and also on account of the competition which still exists, they cannot be expected to take the initiative in providing the facilities which the port must have. The problem must, therefore, be solved by some one who can see it from the broad point of view of the whole community.

A Proposed Solution

The present unsatisfactory conditions can be remedied only by the adoption of a general plan of development which will permit of the gradual elimination of the present methods and the substitution therefor of all-rail connections between all the railroads and the various parts of the city. The New York Central West Side facilities must be so planned that they could at any time be included in the larger plan.

Such a plan must contain the following principal features: (1) A terminal railroad, (2) adequate waterfront development, (3) warehouse and cold storage plants, (4) mechanical freight handling devices, and (5) motor truck store-door delivery.

Terminal Railroad

A terminal railroad must connect and co-ordinate all the railroads which enter the Port of New York and must reach all the commercial and industrial sections. It must be jointly operated in the interests of all the railroads and the whole Port. The use of a great many of the existing tracks and other facilities of the various railroads can be pooled as a part of the new terminal system.

In New Jersey

One of the main requisites is a classification and transfer yard on the New Jersey Meadows. In this yard all freight trains from all the New Jersey railroads must be brought for the consolidation of cargoes and the classification of cars which will make up the trains to the various stations along the terminal railroad in Manhattan.

Because of the great number of stations both on the terminal railroad and on the trunk lines it would probably not be possible to load cars at the shipping points to their destination, so that more or less transfer and consolidation of cargo will continue.

Warehouses and cold storage must be provided at the classification yard for cargoes which reach the Port without consignment.

Two routes are suggested as available for connecting the New Jersey Railroad. The preferable route is along the east side of the Hackensack River and Newark Bay through Jersey City of Bayonne and under the Kill von Kull from the classification yard to the Borough of Richmond. The other is along the west side of the Hackensack River and Newark Bay and to the Borough of Richmond along the line of the Baltimore & Ohio Railroad. Along either route portions of existing tracks could be incorporated into the system. Connections must be made so that trains from all the roads could be moved directly to the classification yard.

From the classification yard, tunnels must be constructed under Bergen Hill and the Hudson River to the Borough of Manhattan.

In Manhattan

After reaching Manhattan, the route should be south along the west side to Cortlandt Street, to the East River and along the East River to 155th Street. Provision should be made so that the route on the West Side could be extended to Spuyten Duyvil.

The tunnels under the Hudson River could be extended to the marginal railroad on the east side of Manhattan and under the East River to the Borough of Queens.

This means of reaching the east side of Manhattan might be preferable for early development, to a tunnel from the west side at Cortlandt Street to the east side. The Battery tunnel should also connect with Brooklyn under the East River.

While the question of the definite location of such a railroad in Manhattan is important it is one which should be left to the body which will have in charge the construction of the road. There is some difference of opinion as to whether it should be located on the marginal street or on an avenue away from the waterfront. For the convenient handling of export and import freight it would seem that the logical location would be along the marginal street. Direct rail connections could be made to piers as well as to property on the east side of the marginal street, which would be used for warehouses or industrial purposes. As the industrial development spreads farther to the east, the residential population would gradually move out, so that there could be no objection to extending the spur tracks to follow this eastwardly development.

Subway

There is also a difference of opinion as to whether the structure should be an elevated structure or a subway. The principal arguments in favor of a subway are that it is hidden from view and leaves the streets clear for vehicular traffic. It could also be connected more readily with the tunnels under the rivers. On the other hand, its construction would be much more costly and it would be more difficult to operate than an elevated structure.

Elevated Structure

The principal arguments in favor of an elevated structure are that it is cheaper to construct and more convenient and cheaper to operate than a subway. It is possible and practicable to run tracks on piers constructed for that purpose, whereas this is impossible with a subway.

The principal objections to an elevated structure are that it is unsightly and noisy, that it seriously obstructs traffic and interferes with light, air and access.

Stations or Local Freight Yards

An important feature of the plan must be sufficient and adequate stations. These should not be concentrated on the West Side, but scattered along both water fronts so as to offer the most convenient service and the shortest haul to the consignees and shippers. This method of locating stations would immediately reduce or even eliminate entirely the congestion of traffic and the delay to trucking.

Richmond

After crossing under the Kill von Kull from Bayonne to St. George, the route can be extended under the Narrows to Brooklyn at Bay Ridge. There is probably little need for such a road in the Borough of Richmond at present, but it would afford an excellent route to Brooklyn. A marginal railroad for the industrial development of the Borough can be connected with this route, or in case the alternative route west of Newark Bay should be adopted, a connection could be provided over the Baltimore & Ohio Railroad.

Brooklyn

Connections to Brooklyn could be made by way of Bay Ridge, as just pointed out, by means of tunnels from the lower end of Manhattan and by way of tunnels into Queens from Manhattan and along the Queens and Brooklyn waterfront. Connection could be made to Jamaica Bay whenever required. The connecting railroad could be incorporated into the system to form an outer belt line.

Queens

The route from Brooklyn should be continued along the East River waterfront to the Borough of Queens. A connection should also be provided by tunnels from the West Side of Manhattan as already stated. The line could be extended along the north shore as far as Flushing Bay whenever necessary. Direct connection to the connecting railroad could also be made.

The Bronx

Connections to The Bronx could be provided by means of tunnels under Hell Gate from Queens, by way of a surface line paralleling the New York Central to Spuyten Duyvil and by way of the connecting railroad. Several years ago, studies were made by the President of the Borough of The Bronx for an industrial railway in that borough.

It is proposed that provision be made in all the Boroughs for stations similar to those described for Manhattan as rapidly as they are needed. Passenger accommodations should likewise be provided.

Waterfront Development

Considerable criticism has been offered to the proposal to co-ordinate the waterfront with the railroad and industrial development, to the effect that it is impracticable to run cars on piers. These criticisms are without doubt based on such use of the piers as at present constructed. It is not suggested that they should be used for this purpose in their present condition or even that they are adapted for such use. Most of them would have to be reconstructed. It is contemplated that all the facilities which are to become a part of the whole plan should be developed commensurately with requirements. As fast as the railroads release the piers they would have to be reconstructed for new occupation and use. There is no reason why piers should not be constructed of ample capacity to store full ship cargoes even if it should become necessary to build warehouses over them. As export freight is brought in, the cars could be placed on the pier, the contents unloaded and the car released. This would be far superior to the present method of allowing this kind of freight to remain in cars in the carrier's yards or on their piers.

Warehouses

The plan would not be complete without ample space in which to store merchandise after it reaches the port, in order that the stations may not be congested with freight as is the case on the piers at present. Cold storage ~~must~~ also be provided to preserve the food products, large quantities of which go to waste for want of prompt delivery. These facilities, like the stations, should be provided at points most convenient to the shippers and consignees. Merchants buy goods from manufacturers, have them sent to the city and cart them to their warehouses, only to cart them back again after they are sold, perhaps to the same station at which they receive them. Under the suggested plan, a merchant could store his goods in a warehouse at any station or even at the warehouses at the classification yard, until they are sold and then ship them over any railroad without any trucking.

Mechanical Freight Handling Devices

On account of the proximity of railroad, piers, factories and warehouses, mechanical devices should be installed to load and unload freight to and from cars and vessels and to handle it between warehouses and factories and between different parts of the same building. Large quantities of freight are still handled by trucks propelled by man power. In these times of scarcity and high cost of labor such cumbersome methods should have no place.

Motor Truck Store Delivery

In order to reduce the cost of trucking, a system of "motor truck delivery" should be installed, which would deliver goods to the consignee's place of business and receive outgoing freight from the shipper. Instead of each merchant sending his own trucks, frequently with partial loads, the motor trucks would carry full loads and distribute them to the various consignees.

A similar method of collecting goods for shipment could be made on the return trip. All freight would be consigned to the station from which the length of haul would be shortest. There is no doubt that a large percentage of the cost of the present long hauls could be saved and practically all of the loss due to the

present delays. No trucking of freight from river to river in Manhattan would be necessary. While the amount of relief to congestion of traffic can not be measured, it would be great.

Adequacy of Plan

The facilities hereinbefore described, in the most general terms, would be sufficient for handling freight at the Port for many years to come. Time did not permit a sufficient study properly to work out or balance the various elements which comprise the whole plan.

It is quite likely, therefore, that more tracks might be necessary at some points and fewer at others. It is believed, however, that the estimates of cost are large enough to permit of considerable latitude when further studies are made into the details of the plan.

As outlined, the plan is much more comprehensive than is necessary to replace the present methods of handling freight. In addition, it provides terminal facilities for the industrial and commercial development of practically all the territory which is available for this purpose. In all of the older portions of the city, the land values immediately adjacent to the proposed improvement have been stagnant for many years. These sections would immediately be improved by industries which can not now find proper facilities here and consequently locate elsewhere.

Markets

The question of markets has long been one of much public concern. All-rail connections to all the boroughs would make it possible to consign food products directly to wholesale terminal markets in carload lots. Provision could also be made for water carriers to deliver directly to them. From these terminal markets motor trucks could deliver food products directly to the retailers in the same manner that they deliver freight to the consignees.

Estimate of Cost

The following estimate will show the cost of a development which would replace floating and lighterage to the west side of Manhattan.

**Approximate Estimate of the Cost of a Terminal Railroad Which
Would Partially Replace Floating and Lighterage on
the West Side of Manhattan**

Two single track tunnels from Sixty-eighth street, North river, Manhattan, to classification yard in New Jersey under Hudson river.....	\$16,000,000
General classification yard, platforms and ware- houses, N. J.....	10,000,000
Two-track belt railroad from classification yard near New Durham, N. J., to Pennsylvania R. R. at Bayonne, N. J., with connections to all the N. J. roads	6,000,000
West Side of Manhattan.—	
Four-track subway structure, Cortlandt to West Sixty-eighth streets	23,000,000
Structures and land between Cortlandt and West Sixty-eighth streets	54,000,000
Equipment	15,000,000
<hr/>	
Total	\$124,000,000
If elevated is substituted on West Side of Man- hattan for subway structure, subtract.....	7,000,000
<hr/>	
Total	\$117,000,000
<hr/> <hr/>	

On the basis of estimates prepared for a larger development which would as nearly as possible eliminate all the lightering of freight, without going to the limit of the entire development, the cost per ton of handling 37,000,000 tons is 58 cents. On this basis 15,000,000 tons per annum would have to be carried to pay interest on the investment as above estimated and operating expenses.

On account of the lack of time and because of the present railroad conditions the tonnage handling on the West Side of Manhattan could not be obtained. Since a large proportion of the New Jersey freight is handled on the West Side, it may be assumed

that 15,000,000 tons would not be an unreasonable quantity to expect.

The foregoing discussion is based on savings which could be accomplished in the handling of freight by the carriers and does not include such benefits as the returns from storage warehouses, the gradual release of piers for the use of ocean steamers, the reduction in the cost of trucking, the development of property which for years has not paid more than taxes, and the consequent greater taxable values and other benefits.

CONCLUSION

In my opinion a terminal railroad system on the West Side of Manhattan, jointly operated, would be practicable and feasible.

Respectfully submitted,

AMOS SCHAEFFER,

Consulting Engineer.

APPENDIX II

Supporting Data and Statistical Materials Showing the Need for a Well Planned and Comprehensive Terminal System

In addition to taking the testimony of competent authorities on the freight problem in Manhattan, the Commission made an extended study of published and unpublished documents, papers, and statistical materials bearing on the subject. A brief summary of the results of this investigation is herewith appended as supporting material for the general statements made in the report.

I Delays in the Lighterage of Freight Across the Hudson River

It is stated in the report of the Examiner in the Jersey rate case that it is the practice to allow five days free time at Jersey City on shipments consigned to New York lighterage. "An additional period of two days, and in some instances three days is allowed after the car reaches Manhattan or Brooklyn, making a total free time of seven or eight days on all this traffic. After orders are received to forward a car from the classification yard in New Jersey to a specified point within the lighterage limits, it usually requires two days to effect delivery. An additional period of two days is required for unloading the car, and still another period of two days to return it to the yards in New Jersey. The floating equipment is often delayed, and we are told that lighters and barges frequently lie at piers for more than five days waiting for an opportunity to load or unload."

II Occupation of the West Side Waterfront by Railroad Freight Yards and Terminals to the Detriment of Water-borne Traffic

The lighterage and carfloat system necessarily involves the occupation of a large portion of the waterfront of Manhattan by terminals for freight consigned to the inland of Manhattan, and for freight consigned from the inland of Manhattan to western points. It must be remembered that a great proportion of the inbound freight is not destined for the steamships along the shore but for delivery at points in the interior of Manhattan and

other parts of the free lighterage zone. In other words, an extensive waterfront is occupied by business that has no relation to the waterfront. As pointed out in report of the Examiner in the New Jersey Rate Case, if New Jersey were connected with Manhattan by a freight tunnel, the dead-ends of the Jersey terminals on the waterfront could be abolished and freight could be run from the classification yards on the Jersey Meadows into Manhattan. Likewise, the shore frontage of Manhattan, now occupied by bulkheads and piers to which the car-floats run, could be turned to other purposes, except in so far as it was found desirable to use it for freight destined to reshipment by steamships.

The occupation of so much of the Manhattan waterfront by the railways is open to grave objection on the ground that it increases the rental value of every foot. This competition for the waterfront makes high charges for Manhattan docks and piers. These charges are a burden on shipping and make it costly for steamship companies to do business at this port. With the increase in our foreign commerce, the competition will increase and rates will go up. In time this will produce results detrimental to the port and tend to drive away from New York some of the ocean-borne traffic. Sound policy would seem to indicate, therefore, that only that portion of the waterfront should be used by railroads which has a direct relation to trans-shipments to and from river and ocean steamers. The freight business that is related to the interior of Manhattan, and the yards and terminals for the transaction of that business, should be away from the waterfront.

III. Cramped Quarters at the Waterfront Freight Terminals

The practice of locating the terminals of the New Jersey railroads on the western waterfront of Manhattan necessarily means that those terminals must be very restricted in the area of space occupied. In fact, many of the said terminals are piers and bulkheads. Freight brought over from the New Jersey shore is, of necessity, piled up at many points in huge stacks along the waterfront, often exposed to the weather. If it is not stacked up out of doors, it is dumped in a miscellaneous manner upon the longitudi-

nal piers. Truck drivers are therefore compelled to search for their deliveries either in mountains of freight along the waterfront, or in long windrows of boxes, bundles, bales and crates scattered along the entire length of the piers.

IV. Congestion of Trucks in Streets of Manhattan

In addition to the delays due to congestion at the freight terminals themselves, there are the further delays due to the fact that freight delivery in Manhattan is largely congested in a narrow strip along the Hudson River waterfront. When once the truckman has secured his load at the freight terminal, after a delay ranging from one hour to five or six hours, he is compelled to battle his way eastward, perhaps, as far as First Avenue, fighting for a place in the stream of trucks flowing eastward and continually halted by the stream of traffic flowing north and south along the main arteries of the Island. This state of affairs has a twofold aspect — it adds immensely to the costs of the merchant or manufacturer on the East Side who sends goods to and receives goods from the westerly waterfront terminals in Manhattan. It also — and this is no less important — contributes to the long and costly delays in the north and southbound traffic along the main avenues.

V. Congestion Due to Diagonal Hauls

The congestion at the freight terminals and in the streets leading from those terminals is further augmented by the diagonal hauls which merchants north or south of a given terminal on the Hudson River are compelled to make. They must cart their goods not only east and west; but in a diagonal direction across the Island; for example, a merchant doing business on Fourteenth Street, and receiving goods by the Delaware & Lackawanna Railroad is compelled to haul the same either in a northeasterly direction from the pier at Leroy Street, or in a southeasterly direction from the pier at West Twenty-eighth Street. He is compelled to do this because the competitive ownership and operation of terminals prevent the delivery of his goods at the point nearest to his place of business.

VI. The Absence of Common Terminal System Means Costly Duplication in Trucking

The terminals of the several railroads on the West Side of Manhattan below Seventy-second Street are scattered at irregular intervals down the waterfront beyond the Battery and up along the eastern shore, with intensive congestion between West Forty-fourth Street and Twenty-third Street, and between Gansevoort Street and the Battery. According to testimony before the Commission, the location of these terminals is largely due to historical accident — one railroad gets a pier lease at a given point, and the other roads desirous of having similar facilities immediately seek to extend their terminals in the same neighborhood. As a result, merchants and manufacturers are subjected to extraordinarily heavy costs of truckage; that is, a merchant dispatching goods over five railway lines is compelled to send trucks to five different terminals scattered at irregular points along the waterfront. The waste of such a system is obvious and calls for no comment. If the same system were introduced in the collection of mail, a merchant would have to post his letters for Galveston at Forty-second Street, his letters for St. Louis at Thirty-eighth Street, his letters for San Francisco at Gansevoort Street, and so forth.

VII. Delays in Trucking

Owing to the limited amount of space on the waterfront which is available for railroad terminals, each company is confined to relatively narrow and restricted quarters. This produces intense congestion of trucks receiving and delivering freight at the several terminals along the waterfront, as well as the stations of the New York Central. Carts and trucks stand for hours — often for the greater part of a day — at the freight terminals awaiting their turn to get to the doors or the piles of freight. This condition was actually observed by the members of your Commission. It is abundantly illustrated by the testimony contained in Docket 6334 before the Interstate Commerce Commission — the New York Team Owners' Association et al. versus the New York Central & Hudson River Railroad Company et al. A single exhibit, published on page 83 of the said document, shows that a driver on

March 31st, 1914, spent two hours and fifteen minutes securing 28 packages at Pier 27 of the Pennsylvania Railroad Company; on April 1st, 1914, one hour and 50 minutes securing 18 packages; on April 2d, 1914, one hour and 55 minutes securing 16 packages; on April 3rd, 1914, two hours and 50 minutes securing 20 packages; on April 4th, 1914, one hour and 40 minutes securing 11 packages. This was the condition of affairs before the great war broke out in Europe.

Later studies show no improvement in the conditions above described. Mr. Ira A. Place, in a memorandum filed with the Commission, states with regard to the cost of cartage in New York City due to congestion and delays, "inquiry of various shippers develops some interesting facts on this subject. Of some fifteen important shippers, merchants, importers and exporters, jobbers and dealers, depending on existing facilities, all state that the present cost of cartage is large. . . . One of these firms estimates that with proper track connection to warehouses it could save on cartage \$45,000 per annum; another \$20,000 per annum; another \$6,000 per annum; and one \$5,100 per annum.

"The freight charges by rail on a car of merchandise of the general character handled by these four firms would be approximately \$50.00 from Buffalo to New York; so that the cost of cartage right here in Manhattan Island on such freight is approximately 60 to 80 per cent of the cost of moving it from Buffalo to New York, a distance of 440 miles. . . .

"On December 11th, 1917, an actual count of the number of trucks arriving at St. John's Park for freight, and also those arriving with freight, was made and a record kept of the interval of time between the arrival of the truck at the station, and the time it reached the platform. It was found that on this day there were 376 trucks with a total delay of 3,374 minutes. . . . Applying a value of \$1.00 an hour for one-horse and two-horse trucks, and \$2.00 an hour for motor trucks, the estimated daily cost of this delay would be \$59.73, which, on the basis of 300 days, equal \$17,919.00 per annum of loss, all or nearly all of which might be saved if modern and adequate facilities were provided."

VIII. Relation of Terminal Facilities and Terminal Markets to the Cost of Living

The congestion above described adds to the high cost of living, in all parts of New York City. According to the report of Mayor Gaynor's Market Commission, the market supplies of New York City "are received at many points, chiefly at the lower end of Manhattan Island, are sold sometimes at the terminals and sometimes at the stores of the dealers, and thence must be trucked all over the City and out to suburban places."

The same report, in speaking of a great quantity of perishables brought to the City by the Pennsylvania and Erie Railroads, landed at the piers on the lower West Side and carted to all parts of the City, says: "The goods that are brought over by these roads on carfloats are unloaded from the cars onto the piers, and in many cases are sold there by the consignees and taken away by the buyers — jobbers and retailers. Otherwise they are trucked away by the consignees to be sold at their stores. . . . The space on the piers is insufficient to accommodate buyers, sellers, goods and trucks without great delays, which cause expense and considerable spoilage of goods because the construction of the piers is, in most cases, not such as will protect the goods during the long delays from harmful temperatures and other bad weather conditions, and the City has now grown too great in size to depend on a primary market in only one borough. In seasons when the receipts are heavy it not infrequently happens that the congestion at the Manhattan terminals will hold back carloads of goods in the Jersey yards for days before they can be discharged for sale. Sometimes they are held back until they spoil and are a total loss to producer and consumer. . . ."

"The present primary market in Manhattan is too congested and too far away from the rapidly growing outlying boroughs to be the base of supplies for the greater percentage of the retailers of the City. The time and labor of going to this market are too great and the dealers are forced to buy from the nearer jobbing centers. This lengthens the chain of middlemen and makes much trucking necessary. It is estimated that there are, on an average, over 1,000 trucks working in the market district daily, and that a truck must earn \$7 a day to pay for itself. This alone imposes a

daily tax on our food supply of \$7,000, which does not include the cost of all the grocers' wagons that make daily trips of from 2 or 3 to 15 miles to reach into the late hours at night and early morning — a condition which does not obtain in any other large city in the country. Concentration of freight facilities in lower Manhattan also multiplies, three or four times, the number of middlemen through whose hands market produce must pass on its way north and east to the consumers. If it were possible to multiply the terminal points at which market produce could be distributed, the said produce could thus be brought nearer to the retail merchant.

IX. Decline in Realty Values on the West Side.

The Commission by personal visits to the West Side of Manhattan and by a detailed study of realty values in that district, is driven to the conclusion that a large area of valuable real estate has fallen under an industrial and commercial blight. The investigations and study of the Commission have been supplemented by the testimony of competent witnesses. Block after block in the railroad zone on the West Side is occupied by tumbledown shops, decaying residential property and small stores. Much of this property is from twenty-five to seventy-five years old. It contributes little to the revenues of the City in real estate taxes. A critical study made for the Commission of land values on streets from Twelfth Avenue across the City to Avenue B, at selected points between Twentieth Street and Forty-sixth Street, reveals the fact that property on the West Side from Twelfth Avenue through to Ninth Avenue, and in a few instances almost to Seventh Avenue, is at a low dead level in value.

In arriving at a conclusion as to whether the comprehensive terminal system advocated in the Commission's report would prove to be a sound business proposition, it is necessary to take into account losses to the City of New York in taxes owing to the "dead" real estate values on the West Side. New York City has an interest in the West Side improvement in addition to its interest in the welfare of industry and commerce, and in the high cost of living. It cannot be doubted that modern and adequate terminal facilities in that district would bring a large increase in taxable real estate.

X. Manufacturers in Manhattan Handicapped by Obsolete Freight Methods

The existing freight congestion on the West Side is a direct menace to the interests of Manhattan in other important respects, in addition to those mentioned above.

For instance, manufacturers are being driven from Manhattan not only to outlying portions of the City but to neighboring States, where freight facilities are better and trucking costs are lower. Those manufacturers who remain in Manhattan are handicapped in the struggle with their competitors who have adequate freight facilities and low cartage costs. It is true that the high value of real estate in Manhattan is frequently assigned as the cause for the drift of industry away from that region, but an analysis of realty values in the freight zone on the West Side shows that this cannot be the decisive factor in driving industries from the Island.

XI. Relation of New Jersey Rate Case to the Terminal Improvements in Manhattan

Commerce and industry in Manhattan are constantly threatened by attempts to free the railroads from the necessity of delivering freight to the West Side at the same rate as to the New Jersey shore. It is true that the Interstate Commerce Commission by a decision on January 22, 1918, in the so-called New Jersey Lighterage Rate case, once more blocked the effort of the New Jersey shippers to secure a differential which would add materially to the cost of the freight delivered to the New York shore as compared with the cost of freight delivered to the New Jersey shore; but it cannot be expected that the New Jersey shippers will never again revive their complaints "against freight rate discrimination in favor of New York."

It must be brought forcibly to the attention of the citizens of New York City that the most telling argument advanced against the longer continuance of identical rates for freight delivered on the New Jersey shore and within the New York lighterage zone, was the cost of lighterage and the congestion of freight in New York. Mr. George L. Record, Counsel for New Jersey in the lighterage rate case, says: "In the evidence submitted before the Commission we claimed that the cost of this service [lighter-

age] was approximately 6c per hundred pounds. . . . Mr. Irving T. Bush testified that in a conference with the traffic managers of the different railroads they admitted to him that this service was now costing the railroad companies between 6c and 7c. This cost is equivalent to several hundred miles of the cost of the ordinary line haul rail transportation. Therefore, it seems to us reasonable that it is unjust to include in one rate zone two localities which are separated by a barrier so costly as is involved in this river transfer. . . . The conditions of congestion in New York City incident to the handling of freight are admitted by everybody to have reached the intolerable stage. The expense of doing business in New York is becoming prohibitory, owing to the congestion of the piers. The railroads are doing business in New York City today in the same primitive fashion in which they were doing it forty years ago, although in every other department of railroad-ing the improvements and advances have been tremendous. . . . That congestion is due to the fact that in New Jersey the bulk of our improved waterfront is used by the railroads as a place of transfer for New York freight and the New York waterfront is used for the handling of this freight on the New York side. All students of this problem agree that in some way or other this congestion has got to be relieved. We believe that the granting of a lower freight rate to the New Jersey cities would stimulate the solution of this problem. . . . If the various New Jersey cities are entitled to a lower freight rate by reason of their natural advantages of location, then it ought to be accorded to us irrespective of the effects either upon us or upon New York."

It must be admitted that there is merit in this argument. The best way to meet it is to provide speedy and cheap transportation under the Hudson River, release the waterfront from the congestion due to railroad uses, and provide modern and adequate freight facilities in New York City away from the waterfront.

Perhaps the most significant part of the opinion of the Interstate Commerce Commission in denying the contention of the New Jersey shippers was that paragraph in which it warned all parties concerned that some modernization of freight facilities should be undertaken at once. The Commission said: "It is not too much to expect that the defendants will take immediate steps to

reorganize and co-ordinate their terminal facilities at the port. There can be no justification, especially in a time of national emergency, for a policy that permits certain terminals to be congested with a surplus of freight while at the same time a nearby terminal has not enough traffic to keep it busy. It is necessary that the great terminals at the Port of New York be made practically one, and that the separate interests of the individual carriers, so long an insuperable obstacle to any constructive plan of terminal development, be subordinated to the public interest."

XII. Delays at Terminals a Costly Burden to the Entire Country

Although it may not be considered of material interest to the citizens of New York, it is a fact that the delays due to inadequate terminal facilities in Manhattan are a burden on the rolling stock of all the railroads stretching across the Continent to the Pacific Coast.

It is stated that the average car movement in America, just before the war, was approximately a mile an hour, and that this slow freight movement was in the main due to inadequate terminal facilities. It is said by railroad men that if the car movement could be increased to thirty-six miles a day the total car movement in the country would be increased from 62,400,000 to 93,600,000 car miles a day, without adding any new cars to the present equipment. It is obvious that it is not the number of freight cars alone, but the rapidity of movement or circulation which counts. We could double the number of freight cars in the United States without adding materially to facilities for handling freight if there were no improvements in terminals. In considering the New York terminal problem, therefore, it must be remembered that we are helping to relieve congestion in all the railroad transportation which centers toward Greater New York.

APPENDIX III

Legislative Measure Proposed and Recommended

AN ACT to provide for railroad terminal improvements in cities having over one million inhabitants and to create commissions with full powers to arrange for and compel such improvements and to transfer to such commissions certain jurisdiction, supervision, duties and powers of the public service commission and to repeal chapter seven hundred and seventy-seven of the laws of nineteen hundred and eleven and chapter seven hundred and nineteen of the laws of nineteen hundred and seventeen and for other purposes.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Short title. This law shall be known as The Terminal Commission Law.

§ 2. Definitions. When used in this act, unless otherwise expressly stated:

1. The word "city" shall signify any city having a population of over one million inhabitants.

2. The words "transportation corporation" shall include all companies and corporations (1) owning or operating railroads or parts of railroads within the boundaries of any such city, or in case of the city of New York, within the boundaries of the borough of Manhattan, or (2) operating lighterage, car-transfer, freight-transfer or freight-carriage businesses devoted to a public use or affected with a public interest within such boundaries, or (3) owning, leasing or operating docks, wharves, piers, ferry-lines, ferry-slips, receiving stations or depots for freight within such boundaries in connection with railroads, whether or not such railroads actually maintain or operate trackage within such boundaries; and also all freight terminal corporations and other companies, incorporations engaged in public service which, as terminal companies, forwarding companies or otherwise, operate terminals or operate in any other way within the boundaries of such city or borough in connection with railroads, whether or not such rail-

roads actually maintain or operate trackage within such boundaries; provided, always, that said words "transportation corporation." shall not include existing street railroads, and this act shall not affect the ownership or operation thereof.

3. The word "plan" shall include any plan or part of a plan or modification of a plan adopted pursuant to this act by a commission created hereunder.

§ 3. Matters of public interest. Under existing transportation conditions as revealed by the reports submitted to the legislature pursuant to chapter seven hundred and twenty of the laws of nineteen hundred and seventeen, and according to facts within common knowledge, the manner in which the franchise, terminal facilities and rights of the New York Central Railroad Company and other railroad and transportation corporations operating within the city of New York and generally within cities having a population of more than one million inhabitants, are used, is a matter of public interest and a proper subject for investigation, regulation and control by the state, to the end that the people of such cities may secure benefit to health, property and well-being; freedom from nuisance, and efficient distribution of food, fuel and merchandise and that they may have adequate and comprehensive terminal facilities so far as necessary to promote the health, convenience and commerce of the people.

§ 4. Commission established; appointments; vacancies; salaries; expenses. In each city having over one million inhabitants there shall be a terminal improvement commission consisting of seven commissioners. The mayor and the comptroller or other corresponding financial officer of such city and their respective successors in office shall be commissioners ex-officio. The governor shall designate two members of the public service commission of the district in which such city is located to be members of such commission (who shall continue in such office only so long as they respectively continue as members of such public service commission), and he shall appoint in addition three members, by and with the advice and consent of the senate, at least two of whom shall be residents of such city, and he shall designate one of such residents to be chairman; and he may in like manner fill any

vacancy in such offices by designation or appointment as the case may be. The existence of one or more vacancies shall not impair the power of the commission. The three commissioners appointed by the governor shall each receive an annual salary of .

The commissioners shall take the oath of office required by the constitution. The commission may employ such assistants, including a secretary, a counsel and an engineer, and provide such offices as the commission may deem necessary. The annual salary of the counsel to such commission shall be . The annual

salary of the secretary to such commission shall be

All officers, clerks, inspectors, experts and employees of such commission shall receive the compensation fixed by the commission. The commissioners, the counsel to the commission and its secretary, officers, clerks, inspectors, experts and other employees shall have reimbursed to them all actual and necessary traveling and other expenses and disbursements incurred or made by them in the discharge of their official duties. The salaries of the three commissioners appointed by the Governor, of the counsel to the commission and of the secretary to the commission shall be audited and allowed monthly by the state comptroller and paid by the state treasurer upon the warrant of the comptroller out of the funds provided therefor. The remaining expenses and salaries of the employees of the commission shall be audited and paid as follows: The board of estimate and apportionment of the city or other board or public body on which is imposed the duty and in which is vested the power of making appropriations of public moneys for the purposes of the city government shall from time to time on requisition duly made by the commission appropriate such sums of moneys as may be requisite for the payment of such expenses and salaries, and such appropriation shall be made forthwith upon presentation of a requisition from the commission, which shall state the purposes for which such moneys are required. In case the said board of estimate and apportionment or such other board or public body fails to appropriate such amount as the commission deems requisite and necessary, the commission may apply to the Appellate Division of the Supreme Court of the department in which the principal

office of such commission is located, on notice to the board of estimate and apportionment or such other board or public body aforesaid to determine what amount shall be appropriated for the purposes so required, and the decision of said Appellate Division shall be final and conclusive; and the city shall not be liable for any indebtedness incurred by the commission in excess of such appropriations. It shall be the duty of the auditor or comptroller of said city, after such appropriation shall have been duly made, to audit and pay the expenses and salaries of such commission (except the salaries of the three commissioners appointed by the governor, the counsel to the commission and the secretary) upon vouchers therefor to be approved by the chairman, which payment shall be made in like manner as payments are now made by the auditor, comptroller or other public officers of claims against and demands upon such city.

Four commissioners shall constitute a quorum for the transaction of routine business, but notwithstanding any other provision of this act no plan, contract, lease, grant or order of the commission shall be valid unless approved by at least five commissioners.

§ 5. Plan. The commission is authorized to adopt from time to time plans for the securing of adequate and comprehensive terminal facilities for transporting, handling and delivering freight in such cities, and for securing properly located and connected terminal markets therein, and for securing efficient and economical transportation and distribution of food, fuel and merchandise therein, and for diminishing waste and reducing the cost of handling necessities of life therein and for securing the health and safety of the city by removing the danger and nuisance caused by steam traffic upon the surface of streets and in parks; or for any of such purposes; and the commission may from time to time alter or modify such plan. Any such plan may provide, as the commission shall find to be reasonable, for the making of repairs and improvements and additions to and extensions of and changes in the location, grade or use of any existing terminals, yards, stations, trackage, switches and other facilities used in connection therewith within such city, or in the case of the city of New York

within the borough of Manhattan, and for the joint use thereof by one or more transportation corporations, and for changes in motive power by any transportation corporation, and for changes in the location or grades of any streets, avenues, roads, highways, alleys or lands owned by the city adjacent or contiguous to any such terminals, yards, stations, trackage, switches and facilities now existing or hereafter constructed, and for the location and connection of terminal markets, and for any other act or thing authorized or provided for in this act.

No plan which shall authorize the construction or operation of a street railroad shall be adopted unless the consent of the owners of one-half in value of the property bounded on that portion of a street or highway upon which it is proposed to construct or operate such railroad be first obtained, or in case the consent of such property owners cannot be obtained, unless the appellate division of the supreme court in the department in which it is proposed to be constructed, shall, upon application, have appointed three commissioners who shall have determined, after a hearing of all parties interested, whether such railroad ought to be constructed or operated, and their determination shall have been confirmed by the court.

§ 6. Adoption of plan. Before adopting, altering or modifying any plan, the commission shall file the proposed plan with profiles in the office of the mayor of the city and of the public service commission for the district in which such city is located. It shall adopt no plan or alteration or modification of plan except after filing the proposed plan, alteration or modification in its final form as above provided and after a public hearing thereon. It shall give twenty days' notice in writing of such hearing to all transportation corporations which according to the provisions of the proposed plan are to bear any part of the expense of the work therein provided for or whose property is to be taken or used thereunder, and at the same time shall serve upon such transportation corporations copies of the proposed plans and profiles, and shall give them an opportunity to be heard upon the date fixed in such notice or upon the date to which such hearing may be adjourned. It shall also publish a notice of said hearing daily in the official paper of the city if such there be and in at

least two newspapers published daily in such city for at least ten days, excluding Sundays immediately preceding the date of such hearing. Upon such date or adjourned dates it shall hear all transportation corporations interested and represented at the hearings and the state and city and any other interested party, present or represented.

Any transportation corporation interested and the state and city and any interested party and the commission may at such hearing call and examine witnesses as to the feasibility and expediency of such proposed plan and of any alteration or modification thereof which may be suggested and of any new plan that may be suggested. The commission shall hear the proofs and allegations of the parties and reduce the testimony taken to writing, and the commissioners, or any five of them, shall make a report in writing wherein they shall state the plan adopted by the commission, with full details regarding all features thereof, including the following matters so far as they are embraced within the plan: the location of the proposed terminals, yards, stations, trackage, switches and all other facilities to be used in connection therewith, and of the public and railroad approaches thereto, and of the streets, avenues, roads, highways, alleys, squares, parks and public places contiguous or adjacent to such terminals, yards, stations, trackage, switches and facilities or to approaches to be used for such terminals and other facilities by such transportation corporations; the change in location or grade of the streets, avenues, roads, highways, alleys or land owned by the city; the change in the grades of existing structures carrying streets over or under railroads, or carrying railroads over or under streets, parks and public places; the repairs, improvements and additions to and extensions of and changes in the location, grade or use of terminals, yards, stations, trackage, switches and other facilities, and the nature of the motive power to be used in connection therewith, and the location of terminal markets and their connections. Duplicate originals of the report, together with copies of the testimony taken before the commission shall be filed in the office of said mayor and public service commission and such report shall thereupon become the plan for the part of the work provided for or referred to therein or for the whole thereof if the plan

shall so state; and such filing shall constitute the adoption of such plan. The commission after adopting any plan or modifying or altering any plan shall give notice thereof to the transportation corporations which are interested and to the attorney-general of the state of New York and to the mayor of the city affected and shall designate the place where such plan and profiles or copies thereof are kept on file for inspection.

§ 7. Powers and duties of the commission. In order to secure the completion of any plan adopted by the commission as provided for herein, the commission is hereby invested with and authorized to use any or all of the following powers and also any or all other powers necessary or proper to enable it to carry out the intent and purposes of this act. Any of the powers granted to the commission may be exercised independently of the others for the purpose of accomplishing all or any part of any such plan.

1. Municipal terminal improvements. In aid of any such plan providing for terminal improvements to be made directly or indirectly by the city or of any other plan, the commission is hereby authorized to use any and all powers conferred upon it under this act to facilitate the construction, maintenance and operation by the city of any such terminal improvements.

2. Terminal improvements made pursuant to agreement. In aid of any such plan providing for terminal improvements to be made by the New York Central Railroad Company and other transportation corporations or by other corporations or by the city or by any of them, pursuant to agreement or arrangement, or in aid of any other plan, the commission is hereby authorized to agree on behalf of the city with the New York Central Railroad Company and any other transportation corporation or with any other corporation or corporations to such effect and extent as it may find to be necessary for accomplishing the purposes and carrying out the provisions of any such plan. For any such purpose, it may agree on behalf of the city with any transportation corporation or other corporation for closing, altering or changing the location or grade of, any street, alley or public place; and for changing therein, or removing therefrom, any gas or water pipes, sewers, conduits or other objects, and may in like manner agree for the exchanging or selling of lands, lands under water or

rights, interests or easements in lands under water, rights in streets, avenues, ways, public wharves, parks, or places in anywise owned, occupied or controlled by the city, at such prices as the city by its board of estimate and apportionment or other similar body may fix or at a fair market value ascertained as hereinafter provided, and may on behalf of the city, make any such closing, alteration, change, removal, exchange or sale, and may purchase, take in exchange or otherwise acquire on behalf of the city other lands, lands under water or rights or interests therein, and may by agreement with any transportation corporation or other corporation modify or rescind any lease or other contract heretofore or hereafter made by any such corporation and the city, and may give approval and consent on behalf of the city to the alteration of the route of any railroad, trackage or transportation line operated by any transportation corporation or of its terminus within the city or in the case of New York city within the borough of Manhattan. The commission may agree with any transportation corporation or other corporation or with the city what portion of the work provided for by any such plan shall be done by such corporation or by the city and what part of the cost thereof shall be paid by each. For any purpose of this act the commission or the commissioners of apportionment appointed as provided herein may include as a part of such cost the expense of preparing plans and any damages that may be awarded pursuant to section eight of this act.

All the terms and provisions of any agreement made pursuant to this act shall bind and benefit the parties thereto and their successors and assigns without any further act or proceeding by or on the part of the city or any officer, board or department thereof.

3. Immediate arrangements with the New York Central Railroad Company. In aid of any comprehensive plan for the improvement of freight facilities in the city of New York or in contemplation thereof, the commission is authorized to negotiate and agree with the New York Central Railroad Company and to use any and all of the powers granted in this act; but this provision shall not be construed to limit or suspend any powers granted in this act to the commission over said company or over any other transportation corporation.

4. Compulsory terminal improvements. In aid of any such plan providing for terminal improvements to be made under order or direction of the commission or in aid of any other plan, the commission is authorized to make and serve orders providing that such improvements, additions and changes as shall have been determined by them shall be made within a reasonable time which shall be determined by the commission and specified in the order, and the respective transportation corporations and the city are hereby required and directed to make the improvements, additions and changes required of them or any of them under such orders of the commission, which shall be served upon them in case of a domestic corporation, by delivering a copy thereof to the president, vice-president or any director, and in case of a foreign corporation, by mailing a copy thereof to the president or secretary at the principal office of the corporation with the postage prepaid thereon, and in case of the city, by delivering a copy thereof to the mayor. If at the end of sixty days after the service of any such order, any such transportation corporation or the city shall have failed to enter into an agreement with the commission for the making of the improvements, additions or changes so required of it and shall have failed to notify the commission to apply to the supreme court for the appointment of commissioners of apportionment as hereinafter provided, then the commission may designate what portion of such work shall be done by such corporation and what portion shall be done by the city, and the details of such work, and may compel the performance thereof by writ of mandamus; and the commission may perform and complete or authorize any transportation corporation or other corporation to perform and complete or cause to be performed and completed the designated work, and may determine the cost thereof and the amount to be paid by such corporation in default or by the city and compel the payment of such cost and amount as a whole or in instalments as it may deem proper, by writ of mandamus, or it may recover the cost thereof from such corporation or from the city by action at law. The commission may extend the time to commence or complete the work, or any portion thereof, at any time in its discretion.

In case any such corporation shall fail to agree with the commission upon the apportionment of the work or of the cost of the

improvement provided for by such plan between the city and such corporation, the commission may apply to the supreme court, at a special term thereof, for the appointment of three commissioners to make such apportionment. Any such corporation may by notice in writing require the commission to make such application. The application shall be made upon fourteen days' notice to the city and to the corporation or corporations to be affected by such apportionment. The court shall appoint three commissioners to make such apportionment, who shall take the oath required by the constitution, hear the proofs and allegations of the parties, and reduce the testimony taken by them to writing, and they or a majority of them shall make a report in writing designating what portion of the work necessary to be done shall be done by such corporation or corporations as shall not have agreed with the commission as to the apportionment of the work or the cost thereof, and what portion shall be done by the city, and what portion of the cost of the proposed improvement shall be paid by each. Such report and the testimony taken by the commissioners shall be filed in the office of the clerk of the county in which the improvements are to be made. Upon such report being filed any party interested may move the supreme court for confirmation thereof, and if approved by the court it shall be confirmed. The commission shall notify the transportation corporations interested and the city of the apportionment of the work and cost between them and of the time when the designated portions of the work shall begin and the time when each portion shall be completed.

5. Subjecting terminal facilities to joint user. Notwithstanding any general or special law to the contrary, the commission is hereby authorized and empowered for the purpose of aiding or effectuating any such plan to compel any transportation corporation to allow any other transportation corporation or corporations to make such reasonable use as shall be determined by the commission of all or any part of the freight terminals, yards, stations, trackage, switches and other facilities used in connection therewith, owned, leased or operated by it within the city, or in the case of New York city within the borough of Manhattan.

and upon just and reasonable terms and conditions of compensation and operation, to be determined by the commission.

6. Requiring use of terminal facilities. The commission is hereby authorized to require any transportation corporation upon just and reasonable terms to be determined by the commission to use any freight terminals, yards, stations, trackage, switches and facilities connected therewith which may be subject to the jurisdiction of the commission.

7. Elevation, depression or safeguarding of terminal facilities. The commission is hereby authorized to require the elevation, depression or safeguarding of all or any part of the freight terminals, yards, stations, trackage, switches and the approaches thereto, and facilities used in connection therewith, within the city, or in the case of New York city within the borough of Manhattan, and the substitution or adoption of electric or other locomotive power in place of steam, within such city or borough.

8. Terminal markets. In aid of any plan providing for the location, improvement or construction of terminal markets or coal reservoirs, by the city or any agency thereof or by any other corporation the commission is hereby authorized to use any and all of the powers conferred upon it under this act.

9. Acceptance of authority. The commission is hereby authorized to accept the delegation of any lawful authority from the president or congress of the United States or from any official or agency thereof and to exercise any such authority for the accomplishment of any such plan or of any of the purposes of this act.

10. Exercise of power. Any and all of the powers mentioned in the various subdivisions of this section may be exercised by the commission in aid of any plan adopted by it, whether or not such plan is referred to in any such subdivision.

§ 8. Condemnation. If any plan adopted or agreement made by the commission pursuant to this act shall provide for the acquisition of any franchises, rights in streets, lands, lands under water, easements, rights-of-way, buildings, public or private docks, wharves, piers, leases, leasehold interests or other property or rights or for the change of grade or closing or alteration of any

street, alley or public place, or for the taking of lands to widen any street or to open new streets, or if any property be injured thereby for which the owners or persons interested therein are lawfully entitled to compensation, or if it becomes necessary to ascertain the fair market value of any property or rights owned, occupied or controlled by the city to be exchanged or sold by the city, then the commission may make application at a special term of the supreme court of the county in which such property is located for the appointment of three commissioners of appraisal to ascertain the compensation therefor to be paid to the owners or the parties interested in such property or rights proposed to be taken or which may be injured, or to ascertain the fair market value of any property or rights sold or exchanged by the city. Such an application shall be made by petition duly verified by one of the commissioners according to the practice of the court and shall contain a description of the property and rights sought to be taken or which may be injured or of which the fair market value is to be ascertained and the names of the owners and the parties interested therein so far as they can be ascertained. The petition shall be served at least eight days before the time when the same is to be presented to the court by delivering a copy thereof to each person or party named therein as an owner or interested in the property or rights, or by leaving the same at the residence of such person in the state of New York, or by delivering a copy of said petition to the mayor of the city in case the fair market value of property or rights to be sold or exchanged by the city is to be ascertained. In case there is a corporation named in the petition as owner of or interested in such property or rights said petition shall be served by delivery of a copy thereof to an officer thereof at least eight days before the time when the same is to be presented to the court and by mailing a copy thereof with postage prepaid to the principal office of the said corporation. In case any of the persons named in the petition are infants or lunatics or do not reside within said state of New York, or their residence cannot with due diligence be ascertained, or in case any party named in such petition is a foreign corporation or an unincorporated association consisting of seven or more members, the court may by order direct the manner in which the petition shall

be served, by publication or otherwise, and it shall be served pursuant to such order. Upon the day named in the petition for the presentation thereof, any person or party named therein as an owner of lands or as interested therein may file an answer denying any material allegation of the petition or may demur thereto. The court shall thereupon try the issue thus made and decide the same. If no answer or demurrer to the petition is filed, or if the issue upon an answer or demurrer is decided against the person filing such answer or demurrer, the court shall appoint three disinterested freeholders of the city commissioners for the purpose of ascertaining the just compensation to be paid to the owners and parties interested in the property or rights for taking the same or for the injury thereto, or the fair market value of the property or rights. Said commissioners shall view any lands sought to be taken or claimed to be injured or of which the fair market value is to be ascertained.

The commissioners of appraisal shall have the power to issue subpoenas to compel the attendance of witnesses, to administer oaths to witnesses, and to adjourn from time to time. They shall hear the proofs and allegations of the parties, and report the evidence taken before them, together with their decisions of the amount of compensation to be paid to the owners and parties interested in the property or rights sought to be taken for such property or rights, or if the property or rights were not taken, the amount to be paid for injury thereto by carrying out the proposed plan, or the fair market value of such property or rights which is to be ascertained, and shall designate to whom such compensation shall be paid, and in what sums according to their respective interests.

Upon such report being filed, any party interested may move the court for confirmation thereof, and if approved, it shall be confirmed. The court shall thereupon fix the amount of damages or the fair market value of such property or rights which is to be ascertained, and the costs and expenses to be allowed to the owner of the property or rights and to the petitioner, and shall order the same to be paid by the corporation or by the city, in such proportion as shall have been fixed by the commission or by any agreement authorized under this act, and may order the

sum named by the commissioners of appraisal to be paid to the persons or parties designated by them, or may order the whole or any part of the amount paid into court or deposited in some trust company in the city for the benefit of such person or party. Upon such payment or deposit being made by such corporation or by the city, the fee of the lands and the absolute ownership of the property or rights sought to be taken shall vest in the city or corporation which shall have paid for the same pursuant to such order; and all claims for damages to the property injured shall be extinguished. All proceedings for the taking of lands and the establishment of damages to property, in pursuance of the provisions of this act, shall so far as possible be conducted before one and the same commission of appraisal.

In case the court shall order any damages, costs or expenses to be paid by any transportation or other corporation, the commission created hereunder shall notify such corporation to pay the same, and if not paid within thirty days after the service of such notice the amount ordered to be paid may be recovered by the commission by action and applied to the payment of the award or upon order of the commission such payment may be compelled by mandamus.

§ 9. General jurisdiction and powers of the commission. Upon and after the adoption of any plan, the jurisdiction and powers of the commission shall extend to all transportation corporations and all terminals, yards, stations, trackage, switches, and other facilities used in connection therewith and all public and railroad approaches thereto and all docks, wharves, piers, ferries, ferry slips, depots, receiving stations and float bridges which are affected by or specified in or provided for by such plan, and the commission shall have with respect thereto all the jurisdiction, supervision, powers and duties which any public service commission of the state has or may have with regard to such corporations, properties and facilities; and in addition to the jurisdiction and powers above granted the commission shall with respect to all freight terminal corporations within its jurisdiction and having their principal places of business within the city or in the case of the city of New York within the borough of Manhattan, have all the jurisdiction and rights and powers of supervision,

control and regulation of all freight terminal corporations which any public service commission of the state has or may have with regard to freight terminal corporations and their property and facilities under the transportation corporations law, including the right of the public service commission to give the permission and approval required in certain cases by that law.

Thereupon such public service commissions shall cease to exercise such jurisdiction, supervision and powers in the premises, and all the rights, duties, supervision and powers in the premises, and all any such public service commission in the premises shall be transferred to and vested in the commission created hereunder; provided, however, that the transfer of jurisdiction to the commission created hereunder shall not impair the force or effect of any order, rule, regulation or requirement previously made by such public service commission until the same is duly modified or rescinded by the commission created hereunder, and provided further that in the case of the city of New York no such plan shall extend beyond or affect any terminals, yards, stations, trackage, switches or other facilities outside of or beyond the limits of the borough of Manhattan.

The jurisdiction, supervision, powers and duties transferred to the commission by this act shall be exercised in the same manner and according to the same practice and procedure as the corresponding jurisdiction, supervision, powers and duties were exercised by said public service commission at the time of such transfer.

When the legislature shall decide that the work of improving terminal facilities in the city of New York is completed all the jurisdiction, supervision, powers and duties of the commission created hereunder for that city, shall be transferred to and revert in the public service commission, and this act shall have no further application to that city.

§ 10. Orders of the commission and their enforcement. The commission is hereby authorized and empowered to make any proper orders for effectuating the purposes and exercising the powers herein provided. Such orders shall be made after hearings and notice as provided by law with respect to orders made by said public service commission and as provided by such rules

consistent with law as this commission may make from time to time. Any such orders shall be enforced in the manner provided for the enforcement of orders by said public service commission by chapter four hundred and twenty-nine of the laws of nineteen hundred and seven and amendments thereof.

In case the commission shall order any transportation corporation alone or jointly with others to construct, maintain, operate or use any terminals, yards, stations, trackage, switches and facilities used in connection therewith or to use or join in using or permit the use of any such terminals or other facilities, it shall be the duty of such transportation corporation to obey such order, and in case of disobedience thereof, the commission may from time to time upon application of any interested party or upon its own motion and after notice and hearings determine what part of the cost and expense of constructing, maintaining or operating such terminals and other facilities shall be borne by such transportation corporation, and may in its discretion, in addition to any other rights and remedies in the premises, make an order requiring such corporation to pay the sums so determined to such corporation or corporations as may be constructing or operating such terminals or other facilities or to the city if the city is constructing or operating the same. If any such transportation corporation shall disobey such order to make payment, the corporation to which such payment is ordered to be made, or the city as the case may be, may in an action at law recover the sum so determined together with costs and reasonable counsel fee from the corporation in default and such order shall be prima facie evidence of the liability of such transportation corporation.

In case any transportation corporation subject to this act shall violate any provision of this act or shall fail, omit or neglect to obey, observe or comply with any order, direction or requirement of the commission, it shall forfeit to the people of the state of New York not to exceed the sum of five thousand dollars, or such part thereof as the commission may decide, for each and every offense; every violation of any such order or direction or requirement of this act shall be a separate and distinct offense and in the case of a continuing violation every day in continuance thereof shall be and be deemed to be a separate and distinct offense.

Every officer and agent of any transportation corporation subject to this act who shall violate or who procures, aids or abets any violation by any such corporation of any provisions of this act, or who shall fail to obey, observe and comply with any provision or any order of the commission or who procures, aids or abets any such transportation corporation in its failure to obey, observe and comply with any such order or provision shall be guilty of a misdemeanor.

An action to recover a penalty or a forfeiture under this act or to enforce the powers of the commission under the railroad law may be brought in any court of competent jurisdiction in this state in the name of the people of the state of New York, and shall be commenced and prosecuted to final judgment by counsel to the commission. In any such action all penalties and forfeitures incurred up to the time of commencing the same may be sued for and recovered therein, and the commencement of an action to recover a penalty or forfeiture shall not be, or be held to be, a waiver of the right to recover any other penalty or forfeiture; if the defendant in such action shall prove that during any portion of the time for which it is sought to recover penalties or forfeitures for a violation of an order of the commission the defendant was actually and in good faith prosecuting a suit, action or proceeding in the courts to set aside such order, the court shall remit the penalties or forfeitures incurred during the pendency of such suit, action or proceeding. All moneys recovered in any such action, together with the costs thereof, shall be paid into the state treasury to the credit of the general fund. Any such action may be compromised or discontinued on application of the commission upon such terms as the court shall approve and order.

§ 11. Expedition of causes. All actions and proceedings under this act, in respect of any power, duty or right, or any proceeding, action or suit, commenced, prosecuted or taken by the commission appointed under the provisions of this act, by virtue of the powers, duties, rights and supervision transferred to the commission from the public service commission and generally all actions and proceedings commenced or prosecuted by order of the commission, and all actions and proceedings to which the commission or the people of the state of New York may be parties, and in

which any question arises under this act, or under or concerning any order or action of the commission, shall be preferred over all other civil causes, except election causes and causes arising under the laws affecting the public service commissions, in all courts of the state of New York, and shall be heard and determined in preference to all other civil business pending therein except election causes and public service commission causes, irrespective of position on the calendar, in like manner as the actions and proceedings commenced or prosecuted by order of a public service commission, or under or concerning any order or action thereof. The same preference shall be granted upon application of counsel to the commission in any action or proceeding in which he may be allowed to intervene.

§ 12. Compelling attendance of witnesses. In aid of any plan adopted by it or for accomplishing any purpose of this act, the commission may compel the attendance of witnesses and the production of books and papers.

§ 13. Records and reports. All proceedings of the commission, and all documents and records in its possession, shall be public records, and the commission shall make an annual report to the Legislature on or before the second Monday in January of each year, which shall contain copies of all orders issued by it, and any information in the possession of the commission which it shall deem of value to the Legislature and the people of the state.

§ 14. Powers of transportation corporations. To the extent required by any plan adopted by the commission, each transportation corporation is hereby authorized to acquire from the city by purchase or exchange, as provided in such plan, and to acquire from any owner other than the city by purchase or condemnation, as provided in such plan, and to take, hold, occupy and use as provided in such plan, all real property in fee and all property and all rights, interest and easements in real property or other property, which may be necessary for the purposes of such plan or of any agreement made in accordance therewith and with this act.

§ 15. Effect of act. Nothing in this act contained shall be deemed to validate any grant, franchise, easement, license or consent which has expired or ceased to be valid, and specifically noth-

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ing herein contained shall prejudice or in any manner affect any action now pending or which may hereafter be brought in respect of any such grant, franchise, easement, license or consent, or any appeal taken by either party in any such action; nor shall anything in this act contained have the effect of limiting or impairing in any manner or to any extent, the existing rights, privileges or franchises of any transportation corporations, or of depriving in any manner or to any extent any such corporation of the use and benefit of such rights, privileges or franchises, except only in so far as such rights, privileges or franchises shall be expressly amended, limited or modified by this act, or in or by any plan adopted or order made by the commission or by any instrument executed in pursuance hereof.

§ 16. Validity of provisions. If any section or provision of this act be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of the chapter as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

§ 17. Repealed. Chapter 777 of the Laws of 1911 and chapter 9 of the Laws of 1917 are hereby repealed: The provisions of ordinances and parts of ordinances, and of any acts and parts of acts, including the Greater New York charter, which are inconsistent with this act, and in so far only as they are inconsistent with this act, shall have no application to the rights, powers and obligations conferred or created by and under authority of this act or to any proceedings taken hereunder.

§ 18. This act shall take effect immediately.

APPENDIX IV

Report of Proceedings of Public Hearings of the Commission on West Side Improvement, Appointed Pursuant to Chapter 720 of the Laws of 1917, Entitled "An Act Creating a Commission to Investigate the Surface Railroad Situation in the City of New York, on the West Side, as Affected by the Enactment of Chapter 777 of the Laws of 1911, and Making an Appropriation Therefor."

[Laws of New York — Chap. 720, Laws of 1917]

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. A commission is hereby created to consist of seven members, five to be appointed by the Governor, one by the temporary President of the Senate and one by the Speaker of the Assembly. Within the amount appropriated by this Act, each member shall receive compensation from the State at the rate of fifty dollars for each day actually and necessarily devoted to the business of the commissions, together with his actual and necessary expenses. The chairman of the commission shall be designated by the governor. The commission may employ counsel and such assistants as may be necessary for the performance of its duties and fix their compensation within the amount of the appropriation.

§ 2. The commission shall investigate the practical effect and progress made in carrying out the provisions of chapter seven hundred and seventy-seven of the laws of nineteen hundred and eleven. It shall also investigate all acts, proceedings and measures of the board of estimate and apportionment of the City of New York, and of the New York Central and Hudson River Railroad Company, under the provisions of such chapter, and all plans, profiles and agreements made or proposed thereunder and the nature and value of property affected or which may be affected by such acts, proceedings and measures. For the purpose of such investigation, the commission may compel the attendance of wit-

nesses and the production of books and papers; and shall otherwise have all the powers of a legislative committee as provided by the legislative law, including the adoption of rules for the conduct of its proceedings.

§ 3. The commission shall make a report of its acts, proceedings and conclusions to the legislature and to the governor on or before the first day of February, nineteen hundred and eighteen, accompanied with such recommendations and proposed legislative measures as it may deem proper.

§ 4. The sum of fifty thousand dollars (\$50,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for carrying out the provisions of this act. The moneys appropriated shall be paid out on the audit and warrant of the comptroller, upon vouchers approved by the chairman of the commission.

§ 5. This act shall take effect immediately.

PROCEEDINGS

OFFICE OF THE COMMISSION

20th Floor, 149 Broadway, New York City.

Personnel of the Commission:

WM. H. VAN BENSCHOTEN, *Chairman.*

DANFORTH E. AINSWORTH,

CHARLES A. BEARD,

CYRUS C. MILLER,

RALPH S. ROUNDS,

HENRY L. STODDARD,

HIRAM C. TODD.

*John C. Clark, Counsel.**T. E. Niles, Secretary.*

LIBRARY, CHAMBER OF COMMERCE65 Liberty Street, New York, *Dec. 12, 1917.*

2:00 o'clock P. M.

The Commission met pursuant to notice.

PRESENT.— The entire Commission, counsel to the Commission and secretary to the Commission.

Chairman Van Benschoten.— On behalf of the Commission, as we open our first public hearing, I would like to state in just a word the purposes and requirements of the Act under which this Commission was appointed, and the Act which created this Commission.

It provides that this Commission shall investigate all acts, proceedings and measures of the Board of Estimate and Apportionment of the City of New York, and of the New York Central and Hudson River Railroad Companies, under the provisions of chap-

ter 777 of the Laws of 911, and of the nature and value of property affected or which may be affected by such acts, proceedings and measures.

It also provides that the Commission shall make a report of its acts and proceedings and investigations and conclusions to the Legislature and to the Governor on or before the first day of February, 1918, accompanied with such recommendations and proposed legislative measures as it may deem proper.

It is thus seen that the work of the Commission as directed by this Act in a very general statement, is that certain inquiry and investigation shall be had as to what has already been done along the lines of the solution of these problems on our West Side, and that the Commission shall from such investigation and from such information as it shall in any way acquire, report to the Governor and to the Legislature not only as to the results of its investigation as far as past acts are concerned, but also shall make any recommendation which it may deem wise and proper toward the solution of the problems,—perhaps along the line of legislation or such other public action as may be deemed advisable.

We shall have, as has already been announced, from time to time, public hearings. At these public hearings witnesses will be summoned to give their testimony and statements upon certain and different phases of the questions involved.

It had been expected by the Commission that we would have with us to-day as one of our witnesses, the Honorable William R. Willcox, Chairman of the New York and New Jersey Harbor Commission. Mr. Willcox was called to Washington on Sunday in connection with his duties as such Chairman, and he expected to be back last night. But in these days of strain and stress his official duties are still keeping him at Washington along these various lines which we are to a certain extent considering. Mr. Tomkins, who has for so many years given very close and detailed study to the questions involved, is with us, and will be a witness.

I might at this time state that at all of the public hearings the public are very cordially invited to be present. This is a matter of public importance and of interest to all the people, not only of our city, but of our State and the surrounding territory; and we

hope the people will become interested in these great problems and work with whatever official body may be called upon eventually to solve the questions involved.

I might also state that the Commission will always be very glad to receive any suggestions or any information which may bear upon these problems which any official body or any individual of the public may desire to present to it, either through me as Chairman, or through our counsel, Judge Clark, or through any member of the Commission.

When we adjourn today after taking testimony, it will be to go into executive session. As may well be understood, the details of the problems involved are such that a great deal of the work of a Commission such as this must be done in the conference room around the table, rather than in the public hearing room.

It is expected by the Commission that on next Tuesday afternoon, and on some days immediately following, public hearings will be held in this room; and at those meetings Comptroller Prendergast and the Mayor, and Mr. Place, Vice-President of the New York Central, and representatives of the Public Service Commission, and others who have been and are interested in the working out of these problems, will appear as witnesses.

I think now, Judge Clark, we are ready to proceed with the testimony of Mr. Tomkins.

I may add that this Commission having been directed to make investigation, it will follow the policy of having all the statements and the testimony given taken under oath.

Calvin Tomkins was called as a witness, and having been duly sworn by the Chairman, testified as follows:

By Judge Clark:

Q. Mr. Tomkins, under the chapter which created this Commission, it seems desirable to have upon our records, in form for permanently filing with the Legislature and with the Governor, certain historical statements and views as to the situation of this particular railroad situation on the West Side, which will be in form so that they may be referred to from time to time as legislation arises. With this in view, you have been good enough to

agree to come this afternoon and give us the result of some of your knowledge and some of your studies into the subject during a number of years past; and the questions that I ask will be intended largely as somewhat of a foundation for the future work of the Commission, with your own suggestions and views as to what has been and what can be done. You have been familiar with this situation for a number of years? A. I have.

Q. Will you tell us something about the way in which you came to take it up and the studies you have made? A. Well, I have been familiar with the harbor questions for a good many years. I have had more or less to do with the waterfront in my business and as president of the Municipal Art Society. Long before I was Dock Commissioner, I gave the matter of the organization of the port my attention, and for several years prior to my taking office as Dock Commissioner I studied the problem, and I have been more or less in touch with it in connection with my business as well, and on two occasions in connection with European trips, I studied the problem in connection with the ports of London, Hamburg, Liverpool and Rotterdam, especially.

In 1910, Judge Gaynor, who became Mayor, requested me to take the position of Dock Commissioner. I was not anxious for the position, but I took it finally with the expectation that I could accomplish something. And I worked hard at it for three years, and I think we did formulate the plan which is now gradually, step by step, being carried out, reluctantly to some extent, but it is going ahead and I believe it is the plan which the city will ultimately adopt, as it is in conformity with the general plan and practice at all other great seaports.

Contrary to the general impression, the terminal organization of seaports follows a pretty uniform practice. Contrary to the general impression, the organization of a seaport has for its essential factor organization of the terminal facilities in such a manner that all roads are connected with all other parts of the waterfront, and with each other, and with all the warehouses of the port in such a manner that transportation over the marginal railroad shall be as free and unimpeded as water transportation in front of the docks.

Q. Before taking up the situation on the West Side, will you tell us something of the history of these negotiations which have been had with the railroad? When did they begin? What steps have been taken? And, as you regard it, what progress has been made in solving this problem? A. Numerous attempts had been made before I became Dock Commissioner to develop the situation, with comparatively poor results. When I came in I promptly recognized that the West Side problem was the crux of the port situation in New York. It is the pivot on which the port centers, as it is the natural crossing place.

Q. That was in 1910? A. 1910, yes, sir; January, 1910.

Q. Before that, had efforts been made to solve the problem? A. Yes, repeated efforts, generally through legislative bills granting the railroad privilege to do certain things which it wanted to do. The last important bill was known as the Grady bill, about which there was a good deal of discussion.

Q. When was that? A. 1908 or 1909. I procured the legislation as Dock Commissioner known as the Laws of 1911, which permitted a settlement of the West Side problem between the city and the New York Central if it could be accomplished.

The legislation compelled the New York Central to submit a plan. That was the essential feature of it, and it provided the opportunity for negotiations between the city authorities and the Central after the Central had submitted a plan. But the first requirement was the submission of the plan within a certain time.

The New York Central in compliance with that law did submit its plan in, I think, October, 1911, and I reported on it on November 2, 1911. You have my report.

By Chairman Van Benschoten:

Q. That was referred to you for report, was it? A. It was referred to me for report, with the expectation that after the report had been made the matter would be referred back to me by the Board of Estimate and Apportionment. Instead of that, the Board of Estimate and Apportionment appointed a Committee which took the matter in charge. There had been appointed before that a Port Committee of the Board of Estimate, and that Committee took it out of my hands.

I made one or two reports after that on my own initiative as Dock Commissioner, but since 1911 the matter has rested pretty much where it was left. My expectation at that time was that after having made my report the matter would have been referred back to me, and negotiations with the New York Central would have begun through the instrumentality of the Dock Department. I did not expect that the railroad company would accept the suggestions that the city made through the Dock Department, but I did expect that the city would go ahead and make its own independent plan, and that that plan would be put up to the railroad company, and if the railroad company and the city could not come to an agreement then, after negotiations, after putting the plan in what the city considered final shape, that the Legislature and the courts would compel the New York Central to submit a modernized plan for its west side terminals, and put an end to the nuisance. I was never hopeful enough that the New York Central would voluntarily submit a proposition.

Q. This was subsequent to the Act of 1911? A. No, that was 1910, I think. I am not sure about that.

By Judge Clark:

Q. Did you say you prepared the bill which was submitted to the Legislature, yourself? A. The legislation was drafted in 1910 and passed, I think, in 1911. It was the beginning of 1911 that the legislation was had and it was on November 2, 1911, that we submitted a plan, although we had been studying it before that time.

Q. There was an Act in 1911, chapter 777? A. That was the Act.

Q. That was the Act you referred to? A. Yes. There were two other Acts, one relating to public terminals at New York, and the other relating to private terminals, which we procured the passage of; and there was in addition the law you have just referred to, the West Side Terminal Act.

Q. That Act for 1911 was adopted in the dealings between the city and the New York Central railroad? A. There was a plan brought in by the Board of Estimate and Apportionment known as the Unit Terminal Plan — during 1911, I think, that was —

which was impracticable, and everybody has been willing to forget about it since. That was for discontinuing the service on the New York Central tracks at 60th street and 30th street, and lightering the cars on floats to points farther down, and discharging them at the docks, and making provision for the New Jersey roads at unit terminals on the west side too. That was since determined to be utterly impracticable.

In 1913, another plan, sometimes called the Willoughby Plan, was brought out.

Q. That was simply a proposal submitted? A. Yes; but in connection with it there was a plan of the Board of Estimate and Apportionment, coming down as far as 30th street, and that plan has been abandoned as impracticable. That plan, if I remember correctly, provided for an elevated driveway to start on top of the tunnel,— it covered the tunnel. In that way it got away from the street surface. The masonry structure was in the nature of a dam between the Hudson river and the west side of Manhattan, and it cut the city off from the river.

Q. Was that plan passed upon by the Board of Estimate? A. No plan was passed upon but it was reported by the Board of Estimate Committee. All the time I was pressing my plans, but they were made on the initiative of the Dock Commissioner.

Q. After the plan of 1913 was abandoned, what was the next plan proposed? A. The next plan, I think, was the plan of 1916. I do not think there was any specific plan until the 1916 plan came out. That plan you have seen and are familiar with it.

Q. Yes. Mr. Tomkins, you were about to speak of the general situation and relation of this west side terminal or railroad —

By Commissioner Beard:

Q. I would like to develop one historical point. Are we to understand, Mr. Tomkins, that chapter 777 of the Laws of 1911, the Act under which the 1916 plan was made, was drafted in its entirety in your office? A. Pretty much. The legislation was prepared by Mr. John DeWitt Warner, who acted for the Corporation Counsel's office and Mr. Burr was in touch with it at the time. The legal aspects were developed by those gentlemen; the engineering and physical aspects being outlined by ourselves. The legislation was adapted to what we wished to effect.

Q. Was that legislation during its process of formation taken up with the New York Central in any way? A. I do not remember whether we had any hearing on it or not.

Q. Was the Act satisfactory to the New York Central before it was introduced to the Legislature? A. There were objections to it, and I think there were strenuous objections on the part of the New York Central to some of its details. I know that they opposed the legislation we were trying to get through.

Q. They approved generally the Act of 1911? A. Yes; that is what I understand.

Q. It was acceptable to them? A. It was not what they wanted. It is so long ago that the details of the contest have passed out of my mind.

Q. It was your thought then that a satisfactory plan would be formulated? A. A satisfactory plan could be formulated but not a plan which would be accepted at once by the New York Central Railroad Company.

By Commissioner Stoddard:

Q. Mr. Tomkins, you have heard it stated and seen it in the newspapers, that the Law of 1911 was favorably regarded by the New York Central railroad. That then is not correct, in your judgment? A. I do not know that they were violently opposed to it; but they opposed certain features, and my recollection is that they opposed the legislation at Albany.

Q. Then it is not true that that bill or any part of it was drafted by the New York Central? A. I do not think any part of it was drafted by the New York Central, but we were in touch with the New York Central and anybody else who could give us any information as to the west side problem. We wanted to get it through and get all the information we could, and we approached the New York Central and the Corporation Counsel's office, and the other railroads, to get all the information we could obtain.

Q. Speaking broadly, then, it is not true that that was what might be called a New York Central bill? A. No, sir; I took the responsibility for that bill.

Q. You say that legislation was framed for the purpose of compelling the New York Central to submit a plan? A. Yes.

Q. That plan was submitted in the fall of 1911? A. Yes.

Q. Now, then, when it was submitted it was referred to you and you reported adversely to the Board of Estimate? A. With certain adverse comments and some favorable comments.

Q. To what degree generally did that plan submitted by the New York Central railroad differ from the plan of 1916? Did it differ substantially? A. Yes.

Q. Differed substantially from the 1916? A. The plan of 1911 I always considered was a pretty good plan.

Q. That is the New York Central plan? A. Yes, that is the New York Central plan.

Q. From the city's point of view? A. Yes, and from the railroad's point of view as a railroad enterprise. There were certain features we criticized and wished to have changed; but the Central feature was a marginal railway in conformity with other marginal railroads all the ways on the west side down from Spuyten Duyvil, below Riverside down on the marginal way down town. It was possible to connect that railroad with all the terminal sites below the park district so as to open all the terminal zone between the Ninth Avenue railroad and the Hudson river south of 72d street. The plan of 1916 departed from the marginal railway idea and would set the road more back, throughout the central part of Riverside park, mole-hilling it through that park,—a more expensive construction, which would pull the park to pieces and leave an ugly contour line, and it was more expensive than the other plan which was at the edge, and could be planted out or built out by a step at the base of the park.

And in connection with that, a boulevard could be put on top of it, and the edge could be used for a park, a strip 100 feet wide could be a public reserve for a park, along the whole distance.

By Chairman Van Benschoten:

Q. That is the 1911 plan? A. Yes. That gives the city control of the waterfront for æsthetic or commercial purposes in the future. It is far less expensive, and puts the New York Central to much less expense. Then below 72d street the plan of 1911 had also a marginal way. The railroad ran along the marginal way all the way down.

Q. To Canal street? A. Yes. Leaving it open to terminals and terminal sites as far back as the Ninth Avenue Elevated Railway. The plan of 1916 ran more nearly through the middle of the park district, and it came from 72d street to 30th street in conformity with our plan of 1911, an excellent system for the New York Central and the Pennsylvania railroad, as far down as 30th street, and the terminals are all right. But below there the road was diverted to the east and ran down through the center of the blocks between the Ninth Avenue Elevated railroad and West street, so as to bisect that whole district and make it impossible to use it for terminal purposes in a manner comparable to the section north of 30th street, as being planned by us.

Q. In other words, you think it is not advantageous to have the right-of-way off the marginal street? A. No; the right-of-way should be on the marginal street.

Q. Would you give us some of your reasons for that opinion? A. I think the best reasons I can give you are shown by this map (producing map). This is a map I had prepared. It is drawn to scale, with the ports shown here (indicating). This is the Port of New York on the right side, and these other ports are Antwerp, Amsterdam, Manchester, Hamburg, Liverpool and London, drawn to the same scale, or photographs of the same scale, as shown on the left hand side.

The first thing you will notice is the immense size of the Port of New York, and only a part of it is shown as compared with the other cities. They are on the same scale. If you will examine those after the hearing, you will notice the system of marginal ways and loop lines around these other ports, and when you compare that with the situation at New York, you will see the dead-ends, these with no loop connection, of New York. On the New York side you will find a more numerous system of car float stations on the waterfront unconnected by the boundaries of the harbor and the East river and the Hudson river.

Now, the problem of the Port of New York as it is there has always appeared to me to be to overcome the separation brought about by those natural barriers. In South Brooklyn it is accomplished by the car float service. But still, even there, there is a break, a water transfer,

The other point of transfer between the continent and the two insular communities, Manhattan Island and Long Island, is between the west side of Manhattan and the opposite, New Jersey, shore; and either by bridge or by tunnel connections, the connection must be improved. Even the car-floats service can be improved by proper car-float terminals on the other side. But presumably by tunnels primarily, and subsequently by bridges when the community is rich enough to pay for them, the connections will be made. Until that is done, New York is at a disadvantage.

Q. Right at that point: The development of the port includes two general propositions, one is the development for the accommodation of vessels at the docks, and the other for the railroads which carry freight to the City of New York, much of which is to be placed on these vessels for transportation elsewhere? A. That is it; and it is the co-ordination of the docks with the warehouses and the factories which is the problem.

By Commissioner Miller:

Q. Do you think the railroads should occupy the waterfronts? A. No; that is not occupy them by car floats to the exclusion of water floats. But the correct system is to keep the railroads on land, and reserve the docks and the piers and the bulkheads of the waterfronts to the ships. There is no room on Manhattan on the ground level to do that. There is at South Brooklyn and on Staten Island and elsewhere. The cars are taken over on great floats; taken off the car floats into railroad yards, unloaded in the yards and sent back after being unloaded; and the car floats are simply shuttles doing the work in a very efficient way. But on Manhattan, the cars are put on the floats, transferred to the other side and unloaded there. We have not a car float ferry system, but a railroad yard that is worked in this way,— a float is untied from the Jersey shore in the morning, early in the morning, and goes to Manhattan, and at five o'clock in the afternoon it is towed back to the New Jersey shore. In other words, the edge of New Jersey is towed to New York in the early morning, and towed back to New Jersey in the afternoon.

By Judge Clark:

Q. Does it often happen that these car floats are taken back not on the same afternoon? A. They are usually brought over

during the early morning and taken back at five o'clock in the afternoon.

Q. But does it frequently happen that the car floats brought over remain here several days? A. They do. Where they are not very active at the piers, they are used as warehouses, temporary warehouses.

By Chairman Van Benschoten:

Q. Have you an idea of the approximate number of cars brought over every day? A. About 2,000 now. There were about 1,600 when I was Dock Commissioner, but there are 2,000 now.

You will notice at all these railroad terminal organizations (indicating map) it is nothing but a series of loops, all connected with others and warehouses and docks and ships are in one general organization. Ultimately at New York, I have no doubt that the terminals at New York, including the docks, railroads, warehouses, excluding the factories, will be administered as if under one unit administration. You see the approach toward that by the Federal Government, under the urgency of the war.

Q. From your experience in connection with these matters, and your study of them, what is your opinion as to the ideal development of the port as regards the Island of Manhattan? A. What I have been talking about so far relates to creating modern terminals on the west side of Manhattan to serve the necessities of the twenty-story city going up behind them. The terminals on Manhattan are the most inadequate and most inefficient of any great port of the world that I know of. We have this 20-story city, the needs of which are served by those terminals. It is a great manufacturing city as well, and the raw materials brought into Manhattan and Brooklyn, with some of them taken to New Jersey, are landed there and the expense of handling such commodities is a great handicap to the industry as well as to the commerce of the Port of New York.

In addition, to create modern terminals for the port and the Borough of Manhattan, it is important to use these terminals to which freight floats from all over the city, and which is attracted to the railroads; it is important to use those terminals and use that situation so that the New Jersey railroads can be induced to

build the terminals and come to Manhattan, and after coming over, following the example of the Pennsylvania with tunnels under Manhattan and going under the East river to Brooklyn and Long Island. When you have done that you will have accomplished a very great deal. You will have a cheap carfloat ferry to South Brooklyn, and all-rail connection to Manhattan, and across and under Manhattan and East river to Brooklyn, in conformity with the plan I completed, which is set forth in the Evening Post of June 20, 1917.

In addition to serving Manhattan, those terminals are the baits to induce the New Jersey railroads to bring their rails to this side. Most of the terminals are on the west side of the Hudson, where the manufactories are located, in New Jersey, while the wealth is on this side of the river; and a large part of that that is brought here by railroad must be subjected to the expensive trucking or transfer charge, which is cheap at South Brooklyn, but expensive in Manhattan.

Q. Do you think there is danger to the development of Manhattan in the delay or failure to develop the terminals and facilities along western Manhattan? A. I do think so.

Q. In what way? A. That has been accentuated and made clear by the urgency of the war. The war is organizing the Port of New York. The Federal Government is doing it in the right way for war purposes, but only for war purposes. They will, and are now at Washington today, acting on it and it will be only a day or two before the entire railroad system of the country will be consolidated into one operating unit. Of course, when that is done, the most backward terminal in the country will be modernized to fit war purposes.

Doubtless one of the first steps will be to use the terminals on the west shore of the Hudson. There are West Shore terminals at Weehawken, all the way to the Baltimore & Ohio Railway terminal at Communipaw, and under one system. Following the thought further, and crossing to South Brooklyn, and the utilization of the terminals on Long Island, especially those at South Brooklyn, which the Government will use, as the facilities are existing, they can be far more effective under a unit rule than under a separate operating system. And the New Jersey and the

South Brooklyn terminals will be organized as one general administrative unit, under direct Federal control, in the most effective way possible, and in a way I did not think possible a short time ago. Nobody thought it would come about in less than a generation or two. Now, the permanent organization must be provided through the enterprise of the State of New York and the City of New York if it is done at all. The war will be over long before any tunnel system or effective elevated system on the west side of Manhattan could be developed.

That is the question of permanent organization. The other question is the question of temporary war organization which the Government has had. The city has failed lamentably in the matter; they have regarded it as a city matter, whereas it is a national matter. A few years ago, nearly three-fourths of the imports and one-half of the exports of this country passed through this port. It is a national problem, but the city has in the past regarded it as a city problem.

By Commissioner Ainsworth:

Q. What do you mean by the city regarding it as a city problem? A. I mean that they considered it as a local problem and not a national problem.

Q. National in the value of business concerned, the business returns are in its management and in its control? A. Yes.

Q. I read an article in the New York Independent last week reviewing Mr. Bush's work here in connection with the Bush terminal. Is that the sense in which you use the word national?

A. They are improving things now. They are making a *de facto* system now. But I used it as showing that it was serving a national purpose greater than any other port, which made it a national port.

By Chairman Van Benschoten:

Q. Is the delay or failure to properly develop Manhattan Island facilities creating a situation which may develop facilities working between New Jersey and Long Island, which may be to the exclusion of such development of Manhattan and the Bronx, as we may desire? A. Yes. I think it is an unbalanced development which is going on now. The traffic lines in New York city

are being developed as a big "U" around Manhattan and up Long Island, instead of taking the direct line from New Jersey across Manhattan to Brooklyn shore, and developing south on the New Jersey shore, east across the Narrows and north and south on Long Island.

Q. And that tendency is so, irrespective of the war, although the war accentuates it? A. Yes, sir. That is where the enterprise is, too.

I do not wish to be understood as opposing that development at all. I think it is entirely correct. The opportunities for coarse manufacture are in New Jersey and on the Long Island side, and not on Manhattan. I wish to see Manhattan developed for the intensive purposes necessary here. The heavy manufacture will always take place in New Jersey and on Long Island and in the Bronx, and not on Manhattan; and my desire has been to promote Manhattan terminals for the Island of Manhattan primarily, and, second, to get the New Jersey roads to come to Manhattan and then they will go across Manhattan and under the East river to Brooklyn and make a connection there.

Q. Did you have occasion to deal with the New Jersey roads in connection with the development you suggested as Dock Commissioner? A. Yes; very pleasant relations.

Q. What did you find their attitude to be toward making connection with Manhattan? A. A studied and rather forced pose of indifference. It was assumed and not real. The reason we have not had this west side development before is that in my judgment there is a rivalry between the railroad systems themselves. In the early days of railroading, the New York Central came down through the Island of Manhattan and extended its tracks down to Barclay street, and the New Haven road went down to the Collect pond, I think it was, and they brought their freight down in the lower part of Manhattan Island. As the city grew and the streets became congested, the lower parts of the rails were taken up, and the New Haven tracks stop now at the Grand Central, and the New York Central tracks stop at St. John's park.

The Central came in with the all-rail connection down to where it shipped its products. The New Jersey railroads paid lighterage to meet the competition and the advantages of the New York

Central. As New York continued to grow, the streets became more and more congested, and it became more and more difficult for the New York Central to bring its freight down on the surface lines, and very expensive, and only high class commodities and freight destined for lower Manhattan comes down; and at present is stopped at Sixtieth street and lightered down, with just the same disadvantages the New Jersey railroads have. The Central railroad lighters from Sixtieth street down, and the Jersey roads lighter from Jersey to this side. That is the status which I think the New Jersey roads would like to maintain. They profess an unwillingness to use terminals on the west side of Manhattan. I can sympathize with that as it means expensive terminals and more difficulties they must have. They must get together, and work in concert to reach Manhattan and under Manhattan; and the most difficult thing for them has been for them to get together. They have never been able to get together and organize. That was a prerequisite, that they should organize a corporation to build one or more tunnels and use a marginal terminal right in Manhattan, a terminal road. They never would do it of their own accord.

As long as the New York Central was working under nearly the same disadvantages they were, they were satisfied with the situation. Now, if the New York Central, through the instrumentality of the city and the State of New York, is provided with modern terminals through lower Manhattan, on the land side of the street, where they can handle freight more cheaply and save the time of the merchants, the New Jersey roads will create the organization necessary to bring their lines over here. I do not think the New York authorities are under the necessity of troubling themselves with how to get the New Jersey roads there. They will solve that for themselves when conditions are made such that they are placed at a disadvantage. The problem is to bring the New York Central to modern terminals as cheaply as possible.

Q. Then, do I understand it is your opinion that the procedure would be to develop a plan with the New York Central for its terminals in Manhattan along the line which would leave the door open for further development when the Jersey roads come over? A. That is it, essentially — that the city and the State

of New York should collaborate as cheaply and quickly as possible to bring the New York Central down to modern terminals, and when that is done, it will be met by the New Jersey roads.

I think it should be made as cheaply as possible for the New York Central, and as tolerable. It is not likely that any great amount of money will be ready now to be expended on this. But this affords a breathing space, and the legal difficulties should be overcome and the physical problems solved, and as soon as possible, which will be financed later; and the saving which could be effected in these modern terminals for the New Jersey roads will many times pay for the terminal facilities.

By Commissioner Rounds:

Q. Have you thought it would be possible to interest private capital to build proper facilities for the terminal railroad? A. I see no reason for the city or State to construct terminal sites, beyond acquiring them. The opportunity is there and the railroads can take advantage of them when they come. I think it is desirable, when the city and State are sufficiently advanced and alert, to build the railroad and make it a public marginal road. But that is not essential. But if the road is built by the New York Central, then the State should keep control sufficient to control freight rates and make them reasonable. There is no objection to that. But I think it is better to have it a public rather than a private terminal; and I think that will be done under the influence of the Federal Government, by government-controlled railroads in the future if it is not done by the city and the State now.

I think the city has lost its opportunity. If it is done by the State, it should be done quickly.

Q. But if it were a question of private capital to build the road, subject to public control and planning, have you had occasion to consider whether the opportunities are such that private capital could be interested in the plan? A. Yes; there is no doubt about that. If the west side of New York were provided with proper terminal facilities the value of the lands and the buildings upon such lands would be immensely increased. Consider what the east side of West street is now. It is given up to barber shops and small saloons and shipchandlery, when it should be one of the

most important in the city. It is a street with only the water side, one side used. Everything that is landed and discharged on the water side is put on a truck there, and not taken to the other side of the street, but a mile or two miles back into the city. There is no advantage in being near the waterfront now, because after putting it on a truck it is better to go farther in toward the center of the city.

If proper co-ordination existed between the east and the west sides of West street, there would be tremendous values added. And through that the capital could be availed of.

Q. Do you know whether or not any concrete plan has been considered and approved of by banking interests on that line? A. No, sir. It is all based on transportation facilities; so I think the most important thing is provision for the physical plan, and I am glad the Public Service Commission has ordered their engineers to provide a plan. The plan is the real thing, as I do not think you are in position to go to the courts otherwise. You must tell the railroads what to do. It is necessary to have the plan in order to tell the railroads what to do before you can tell them what to do. The physical plan is the first step, and that I expected to have worked out if the matter had been referred to me in 1911. The matter has stood still ever since. The city has had no concrete physical plan to go to the Legislature.

Q. Would you consider it would be practicable to lodge in some commission with full delegated powers the duty of preparing a plan and to compel its adoption in so far as practicable from time to time and subject to the varying conditions and just interests, being the plan of the State, putting the public authority first, with authority to prepare a plan and then bring the interests into line, as opportunity offered? A. You have the Public Service Commission to provide the plan. The Dock Department was the authority to do it when I was Commissioner. They now have the machinery to prepare the plan, and their State plan will doubtless be followed as my first plan was. I think the plan should be started at once. Doubtless, a special commission may be necessary later to put it through. I think the plan is the first thing, and then the "legislation with teeth." I think, then the general agreement as to what is a proper plan.

There are two or three things in connection with that which require attention. In the first place, there is the problem of the elevated railroad or subway. Many people in the city of New York are prejudiced against elevated railroads, and I think properly so in the central part of the city; but they do not recognize the difference between an elevated freight way and the present elevated railways. The elevated freight way would raise the wall one story and the façades will appear to spring right from that elevated street system, so to speak. All the section known as The Farm, between the bulkhead line and the building line, will be covered with railroad tracks and a public boulevard. Every one of those piers when modernized should have a public park there on top of it, so that the people could get at the waterfront; with a wide boulevard next to the dock string-piece, and then the railroads, and then the warehouses back of the railroads.

Then you are not building an unsightly structure, but raising the street level, below which will go all the heavy trucking, and above that will rise the buildings.

A subway, on the contrary, is impracticable as it will interfere with access to the terminal buildings. It will be necessary to excavate Ninth avenue between the elevated and the subway line if you build a subway there. The cost of the subway and the cost of the connections of the terminal buildings to the eastward, and the danger of operating it, and the inconvenience in building it, will be a great disadvantage as compared with elevated railway construction.

Furthermore, it will interfere with all the sewer out-falls, as it will have to be pumped over, or you will have to use an invert below to take the sewage out. But, most of all, you are not building a line between two terminals. A subway would answer as between terminals in New Jersey and those in Manhattan. But you are providing a service line from 59th street down, with offsets in every block to the east on that line, and those offsets can only be obtained through the instrumentality of the elevated railroad, and not through the instrumentality of a subway.

I never took the ground that while opposed to the subway I would say let the experts design a subway system as practicable as an elevated system, but if they can do that, let us have the subway. But if the subway is proved to be not as desirable as

the elevated, then let us have the elevated. Insistence on a subway is only holding back through solution of the west side problem.

By Commissioner Todd:

Q. Would you consider the physical plan of 1916 has provided efficient terminals and is a practical one? A. No, I do not. Primarily, it cuts the terminal zone in two, and spoils it for the erection of a terminal building. Below 30th street the line cuts through the middle of the blocks, through private property, and thus prevents the use of turn-outs. It makes impossible the same kind of layout as above.

By the Chairman:

Q. Mr. Tomkins, in connection with your study of port developments, have you considered how this might affect conditions up the State? A. Yes. I am glad you spoke of that. I think the State of New York has a heavy responsibility on itself in this matter. In our subway legislation in the city we have taken care to connect Long Island with Manhattan Island. We have not taken the same consideration about connecting New Jersey with New York, and properly so, as the Long Island district is part of the city and State of New York, and New Jersey is not. When you consider what the State of New York is, you will see that the State of New York is like Egypt. The River Nile runs through Egypt, and there is a fertile strip on each side of the river. In the State of New York we have a fertile strip, a narrow strip ten miles wide practically from Albany to Buffalo. South of that is comparatively barren soil and loose gravel. North of that is the undeveloped forest land with the exception of a little rich land around Lake Erie. The State of New York has a rich belt along the Erie canal. Transportation has made the State what it is. The Erie canal and the two railroads paralleling it have made the State of New York, and those great commercial industrial cities are outgrowths of New York city on the east, and Buffalo on the west, and they are dependent entirely on transportation. And it is incumbent on New York city to see that the New York Central is given the best terminal facilities in order to maintain our pre-eminence as an industrial and commercial State. There is not much besides the canal ---

Commissioner Ainsworth.— That is most comforting to me.

Commissioner Todd.— I hope you will include Saratoga in the fertile part of the State, and not embrace it in the wilderness and desert portions.

Commissioner Ainsworth.— The New York Central is like the stem that connects the melon to the vine.

By Judge Clark:

Q. Are you familiar with the plan proposed by the Tompkins Committee? A. Yes.

Q. That is somewhat similar to the plan proposed in 1911, more closely resembles that plan than the one of 1916? A. Yes. That is practically a reversion to the plan of 1911, and I think it is a better plan than my plan or the railroad's plan of 1911. It does not include that railroad yardage in the Riverside district that I permitted, as I did not see any way of getting away from it at the time. But I think it contemplates that big fanlike approach to the 72d street yards. In other respects it is a satisfactory marginal railway plan, and I would say it is commendable.

Q. So you regard the last plan proposed by the Joint Commission as the best plan authorized? A. Yes. It is only a sketch, but I think the suggestions are good.

By Chairman Van Benschoten:

Q. You refer just to the physical plan? A. Yes, sir; as I do not consider myself fully competent to pass on the legal and franchise questions, and the questions of exchange of land values. I can only say that the city and State should endeavor to make this enterprise as cheaply as possible for the railroad company, and make it as desirable for the railroad as possible. I think the city should receive a fair value for what it conveys to the railroad company, but I think the franchise tax and franchise fees should be made nominal rather than for the purpose of obtaining revenue for the City of New York, as every dollar means added freight rates, and low freight rates are more important to the city and State than high tax rates or franchise fees.

Q. What do you think of the provisions of the Ottinger bill?

A. I do not think a National railroad should be subjected to the requirements of a local municipal franchise. I think we lose sight of the fact that New York City will be benefited by modernizing the terminals of the railroad; and we should co-operate to make it as cheaply as possible to get the railroad down here. On the other hand, the city should help in this matter and get what is its due. I think, however, that low freight values will benefit them greatly.

Q. That low freight rate runs into every household value? A. Yes. These freight rates furnish opportunities for all the towns on the line back to Buffalo, and those which are connected back into the Nation. In New York City there is too much tendency to use the port for municipal purposes. One reason why I was very ready to get out as Dock Commissioner, is that the \$65,000,000 dock bonds which could be exempt from the tax limitation were all taken except \$15,000,000 and used for subway construction, when they should have been used for the development of the Port of New York. The City of New York had no more right to take these moneys and use them for strictly local purposes than it had for taking the Customs dues of the port and using them for local purposes. And that will happen every time unless the Nation or the State assumes the responsibility in the matter.

By Commissioner Stoddard:

Q. The city paid the money to build these wharves, did it not?

A. Yes, but the commerce gave them value, the commerce which came here.

Q. But it was an investment by the City of New York exclusively? A. Yes. In the development of National terminals, the question comes in of the National commerce going from them.

Q. Then the city had some right to get some direct returns?

A. Yes.

By Commissioner Miller:

Q. How do they differ from dock rents? A. They do not differ from dock rents. There are two functions here exercised by the city government, one is the administration of the municipality, and the other is the administration of the port. One is

local and the other National, and the National responsibility has been neglected, and the port opportunity has been put to the front locally. That is very natural. Most of us would have acted under the same pressure in the same way. The pressure is irresistible and for that reason I think the State and Nation should exercise more authority.

I think the city has lost its dominating control of the port, and I think the State is likely to do so unless the State exercises its authority rightfully. Otherwise, the port will be used during and after the war by the National Government.

By Commissioner Rounds:

Q. In shaping out constructively some plan which would properly reflect the State and National interest, would that mean there should be some National control or ownership, or National contribution or control? How would you put that in concrete form?

A. It is hard to say. That is a question which is working its way out. I think it should be only just in proportion as the State and city are working in conformity with National interests. will they maintain control; and the reverse shows their loss of control. I think it would be unfortunate if the Federal Government took exclusive control of the Port of New York. The French experience is against that. The jealousy of the other ports is against that. Massachusetts controls Boston. New Orleans is controlled largely by the State of Louisiana, and San Francisco is controlled by the State of California; and those are the well organized ports of this country. Boston is not organized as it should be, but they are approaching organization. But San Francisco and New Orleans are the two ports — especially New Orleans — which have achieved the ultimate influence to be desired.

Q. Would you feel in the case of public investment it should be State rather than city? A. I think the State should assert itself more than it has. I am not prepared to say definitely, but the investment that the State of New York has in the Erie canal, and the importance of maintaining the highway across the State, as I have indicated in the most efficient way for our own string of cities across the State and for our western connections beyond that, make it very important for the State of New York to assert

its control over the Port of New York and over the Port of Buffalo, and I think the conditions at Boston, Massachusetts, and in New Orleans can be studied with advantage.

By Commissioner Ainsworth:

Q. Have you considered whether there are any connections between the terminals and the west side terminal? A. Unfortunately the railroad occupation as long as it continues must have the preference. It brings the supplies to the city and disadvantageous and clumsy as it is, there is no room for a barge canal terminal. But there should be better barge canal terminals, otherwise New Jersey will get the advantage of the investments which the State of New York has made in the Erie canal. I think the entire Port of New York should be the terminal of the canal. There should be frequent opportunity for the docking of canal boats and the Hudson river boats to make frequent landings. I understand freight is being sent from Utica and other canal cities to Catskill, and then it is transferred to the Catskill boats and brought down the rest of the way.

By Judge Clark:

Q. Would not that be remedied somewhat if the railroad cars were not tied up to inactive docks for several days at a time? A. It would cure it entirely. Manhattan and the New Jersey shore are blocked by these car floats. In New Jersey it is worse than in Manhattan; and they are complaining bitterly about it as the car yards back of it extend from Communipaw to Weehawken. New Jersey is a point on the road and they do not use their terminals, and they cannot ship or unship in New Jersey, and a great deal of their business is done in New York, and then trucked back to New Jersey.

You have here something of the rivalry between the New Jersey and the New York interests at the Port of New York. Recently the New Jersey interests asked for relief. They asked that when commodities are brought to the waterfront and stop there, that the lighterage charge to New York shall not be imposed upon those commodities.

Under existing conditions, nearly all freight brought from the west to New York is loaded with the cost of lighterage. The tide-

water terminals in New Jersey and on Long Island, and the New Jersey roads connected the cost of the transfer along Long Island, whether they rendered the service or not. In consequence a lot of freight there has still imposed on it the transfer tax. New Jersey is objecting to that; and the country back of New Jersey is objecting to paying for that. It is ridiculous to impose a charge for a service not rendered; and when that time comes, there will be a separate port between New Jersey and New York which is detrimental to New York. In the meantime, while the New Jersey roads are collecting this charge from the western roads and putting it in their pockets, they are interested in putting the industries in New Jersey so as to stop all freight, and collect a charge without rendering the service. So, under present conditions, or whether it is discontinued, New York is at a disadvantage. So the only way to avoid that is to have a tunnel across under Manhattan.

By Chairman Van Benschoten:

Q. In other words, freight coming from Chicago pays the same rate to Jersey City as to the City of New York? A. Yes. and to Long Island.

Q. And you think the day is not far distant when a cheaper rate to Jersey City is to be given? A. Yes. Only New Jersey now is awake to it; but when the west wakes up, the pressure will not be withstood. The Chamber of Commerce and others are fighting to keep that off, but the most we can expect is time to change the conditions.

Q. That would necessarily be followed in all probability by the development of manufacturing and warehousing on the New Jersey shore, going from New York? A. Yes, it goes on now, as the railroads collect the transfer charge and do not render the service, and their inducement is to make all the industrial locations in New Jersey that they can, instead of having them come here.

I wish the Commission would go and see the immense development going on in New Jersey — the shipbuilding interests, United States Steel Company, the motor companies, Ford and others, the Niles-Bement Tool Company and the great terminal organizations administered by the Federal Government; and there

is an army of men going up on the New Jersey side, with war work; and that war development will go on largely in times of peace just as it is now. New Jersey is gaining rapidly to the disadvantage of these two insular communities — Long Island and Manhattan Island — because we have not these terminals.

Q. Undoubtedly in connection with your study of the port, you have had occasion to become familiar in a general way with the grave disadvantages which exist because of the inadequate and insufficient character of our terminal facilities. Please state some of the serious disadvantages under which New York City is now working. A. The main disadvantage is the diversion of the waterfront to its utilization for railroad uses. There is the disadvantage to the New Jersey side, in which we are not directly interested. And then there is the cost of handling in addition to the dock charge.

Q. Now, will you explain the cost of handling more in detail? A. Well, the cost of handling now is very much greater than in any other modern well organized terminal. On the west side of Manhattan you have old narrow sailing ship piers, shedded over for steamships. Originally great car floats, Pennsylvania car floats, would go across and unload the goods from the float, then unload them from the car into the railroad yard. And they do that above 36th street now, although there is not much land to do that on now. As the city grew, most of the business is done on the car floats themselves. The cars are brought over and run up to a pier,— say that is the pier (indicating). The car floats are brought on each side of the pier, the cars are discharged through the side doors on to the pier, and the freight is piled up in two rows on the pier, and on the piers in intensive use there is great difficulty on the part of the truckmen to pick out their freight and get it to their trucks. We had a hearing about a year ago before the Interstate Commerce Commission. They wanted the railroad company to make car tail delivery to the truck. The truckmen insisted on that. But it is utterly impossible, according to my evidence, for the railroads to do that; and so they did not get the relief they wanted because it was impracticable and impossible to give it.

Q. What does that mean to the trucking interests of the city?

A. It means higher rates for trucking and a heavy charge. Some

years ago the Engineering News worked out the terminal costs at New York and Philadelphia, and determined these to be fourteen times the cost of hauling between the two cities; and that between Chicago and New York the terminal charges, including trucking, equaled the hauling cost between the two cities.

By Commissioner Stoddard:

Q. Did they give any figures as to the drayage charges in Manhattan? I think here it said they totalled about fifty million dollars a year? A. I think that is probably small enough. New York is the most convenient city to deliver goods in, with the water on both sides of the city, and with the streets laid out for the express purpose of landing commodities, and we have more east and west streets than north and south avenues, but we do not get the advantage of that as the railroads block the waterfront with these car floats.

The difficulties of taking in the freight are great; but the outgoing freight encounters very great difficulty. The bulkhead shed is narrow and short. The truck backs up and the freight is taken off and weighed and baled, and then it is taken off on hand cars and run down on a narrow truckway between the two strings of cars on the carfloat sometimes several hundred feet — and doubtless you all know how slow that process is and it is very expensive as well as a very cumbersome method of handling freight. I do not think any structure can be designed more inefficiently than the old way of handling freight to steamships. The whole waterfront is blockaded one way after another, and you can walk from the Battery almost to 23d street without getting a view of the river. Twenty-five years ago, when I first came to New York, we figured on a haul on concrete and stone of forty cents to the point of delivery. Now I do not think you could do it for ninety cents or a dollar, as the whole waterfront has been closed up and you cannot get at it. You must go above the fifties before you can get a place to unload it, and the cost of unloading these heavy commodities is immensely increased because of this congestion and also because of the steamships.

Q. But this whole method increases the cost of handling every kind of freight? A. Yes. In other words, we have a seaport

city without a waterfront. It is a seaport city blocked by the railroads.

By Judge Clark:

Q. What is the relation of the Bronx to the terminal facilities?

A. The New Haven terminal facilities are better. The ground rents are lower and it is possible to spread out, and there are a number of good terminals. But everything from New Jersey is lightered to the Bronx. It would not be so if you had the tunnel connections.

By Commissioner Ainsworth:

Q. How does the New York & New Haven get to the Bronx?

A. Much of it is lightered over. It goes down over the New York Connecting Railroad back of Brooklyn, down to the Greenville tunnel. That connecting bridge was built by the Pennsylvania and the New Haven interests. That is a very good connecting line as the Pennsylvania and the New Haven and the New York Dock terminal system is good and cheap. The freight system from New England back of Long Island to New Jersey is much better since that bridge was completed than it was before; and there is a tendency of freight to flow through South Brooklyn to New Jersey and to New England, greater than before. There is less moving by lighters, but still on the east side of Manhattan virtually all the business is done by carfloat lighters.

By Judge Clark:

Q. You have spoken of the advantage of a unified system developed under the war conditions, and you have said the New York Central should be afforded every facility in the development of its terminals. Do you think there should be afforded every facility except that there should be coupled with it some feature of unified operation? A. Yes; that is what we are coming to.

Q. Isn't this the time to come to it? A. Yes, I will read a brief extract from the report of the Chicago Terminal Commission in 1915:

“Co-operation will not easily or quickly become universal. Competitive traditions and preferences will here and there sur-

vive. It is already clear, however, that the key to the solution of our railway terminal problem, with respect to freight as well as with respect to passengers, is to be found in the substitution of joint and co-operative terminals for separate and competitive terminals; this substitution to be brought about not by some sudden or drastic adoption and execution of a complete revolutionary plan covering the whole railway terminal situation, but by such steps as may be taken from time to time with due regard to financial and operating conditions."

Of course, you will remember all this was written before the war exigencies were on us here at New York. We are now rapidly obtaining things which seemed impossible then —

(Continuing): "Certain important steps of this character undoubtedly give opportunity and should be taken advantage of in the near future for the establishment of co-operative terminals and the readjustment of existing terminals to conform to the correct principles of terminal development. But the essential thing is that from now on no steps shall be taken in the opposite direction."

It would be taken by private right-of-way down through the blocks of Manhattan —

(Continuing): "Thus creating unnecessary barriers to proper development in the future. The city should co-operate cordially in assisting the railroads in the execution of all plans that are in the right direction. If each railroad seeks to extend its own terminals not only into the central business district, but also into each of the outlying local centers, it is apparent upon principle and demonstrated by experience that the result is unsatisfactory both to the city and to the railroads as a whole."

By Commissioner Beard:

Q. How do you explain your theory that the New York Central should be granted all special facilities and privileges which it desires. How do you justify that? A. I do not think the New York Central should be granted all the privileges it desires at all.

Q. I thought you said we should give it all the terminal facilities it needs as speedily as possible? A. I think it should be given all the terminal facilities requisite for its proper operation and which will not conflict with the future development of others. The

Central needs it, and has asked for it and has tried to acquire control of the West Side as complete as possible. That I have opposed, but when the New Jersey roads are forced to meet the competition which this will provide, they will want to get in.

Q. Then does not that mean that the public should retain that marginal way and not grant rights there in perpetuity, the right to any railway on the West Side? A. The rights should be maintained; and as I said in my testimony, that West Side terminal should be a public terminal if the city and State have public spirit enough to make it a public enterprise. I think we should endeavor to create a plan for as efficient a railroad organization on the West Side of Manhattan as we can obtain, and as cheaply and as quickly as possible.

Q. As I understand it, your first theory is that if the public were educated to it, the State and City of New York should actually build, own and control it? A. Yes, and it would be cheap at that.

Q. And your next solution is that the New York Central should build it? A. With strings.

Q. Yes; that the values should be put on the structure so that the public could acquire it when it wishes, and tie the New Jersey railroads in when it feels it is feasible to do so? A. Yes, I think so; but the principal investment will be in the terminals and not in the lines; and the New York Central must be given it as a right, to demand the permanency of access to those terminals in which this great investment will be made; and I think the present method of controlling the streets really is no control over the Central at all. It interferes with changes and improvements. You can hold the New York Central up from making a shed or other improvement. I think you must have some other kind of control through the Public Service Commission or the Interstate Commerce Commission, instead of this club control, which prevents anything being done. It has stopped a monopoly on the West Side, but nothing more. It is not available for determining a policy, but to prevent exploitation.

Q. Would you say that the connecting road should be publicly owned or publicly controlled, but that the New Jersey railroad and the New York Central should be permitted to build and own their

own private terminals along this line? A. Yes. There is ample for that.

Q. You would give them all the opportunities they wanted to acquire land for that purpose? A. Yes. I think the city might help to condemn sites for those purposes. I do not think the city would go as far as that. The Central now controls the speculative interests on the West Side on the right-of-way. Just filing a plan gave them the right to go in there and acquire it. But those lands could be condemned and if we had a right-of-way through there they could be condemned for other purposes.

By Commissioner Rounds:

Q. As distinguished from some forms of terminals, you think there should be terminals which all the roads could have access to? A. I think each road would have to have a terminal building consisting of one or two blocks, and I think each road would prefer to have its own terminal property. But we have progressed so rapidly under Federal control, that I think it is quite possible that this particular work will be had through the combined railroad situation in the country.

Q. What would be the use of those private terminals, that is, when a particular manufacturer wanted to get freight from two or three lines he would have to send his truck to two or three terminals rather than have it routed to one terminal, where he could go and pick it up? A. That is largely a matter of railroad convenience. My experience is that each railroad company would prefer its own terminal system, although under the new arrangement they will be co-ordinated as one single organization, without reference to the Pennsylvania, the New York Central, Lackawanna or the Erie.

Q. That was strongly advocated by what you read from the Chicago report? A. Yes.

Q. You said there should be strings to whatever rights were granted to the New York Central? A. I suggested two ways in 1916 in a publication I made in the New York Times. One was through power to recapture on the basis of actual cost. The other was a reference of control to the Interstate Commerce Commission or the Public Service Commission, leaving those bodies to determine what was best in the public interest. I think further con-

trol from the State authorities is desirable, but it should be limited so as to make the New York Central feel that its terminal investments are jeopardized in no way. If the Central and the other roads that will come in could have the assurance that they will not be interfered with, that I think is all they could ask. That is it will be a simple factor, apparently, but it will prevent the roads interfering with each other.

Q. How do you feel about the 1916 plan? Did that furnish a feasible and satisfactory plan, when they were told they could build on the west side of the Central tracks? A. No. They could build there before the terminal sites were supplied by the private right-of-way between them. They would be approached by turn-outs from West street, from the marginal way from the west side. Some of the blocks are too short now. As you go uptown the full depth of those blocks provide splendid opportunity for terminals. A line through the center of those blocks would have supplied that. If you compare the New York Central Canal Street terminal with the proposed terminals north of 60th street, you will see what I mean.

Q. Someone suggested it was impossible from a railroad point of view, to have efficient operation of two parallel tracks. There must be cross tracks; that is, the mere crossing of tracks, the New Jersey roads to come in and cross tracks? A. It would be undesirable. They have that in Seattle now. There is no occasion for a separate organization. But under one management you would have the same arrangement of the turn-outs across the tracks. You must recollect this is not a surface line. It is not a through transit line. You do not run on schedule. You simply get out of the way of the other trains.

Q. Am I right in thinking you feel that no plan would be really adequate that did not provide that the Central should consent, if the Jersey roads came in, to some provision for crossing these tracks? A. There must be some provision for that. I think the other way would be preferable.

Q. Perhaps not absolutely essential? A. Yes. I think it would drift into that.

If anybody insists on the 1916 plan being a public plan, making provision for the New York Central road in future, let them work

it out. I challenge the Mayor and the Comptroller and the New York Central officials to do that.

By Commissioner Ainsworth:

Q. Mr. Tomkins, you have a wonderful knowledge of this problem and a diction which is delightful. I wish you would give us what you think we should report as to what this west side problem is, which is ours. A. I have tried to do that.

Q. It is possible that you made contradictions under cross-examination. With the New York Central there, furnishing the State as well as the city, with the priceless transmission, and assuming that it owns its right of way and has an irrevocable franchise, of which it cannot be deprived except by compensation and by due process of law, that condition confronting us, what should we do with this problem? Should we attempt municipal ownership, or attempt a corporation to construct terminals, or should we take this road and work out a terminal, with compulsory permission of usage by the New Jersey and other roads that might desire to come in? A. I think the essential thing is to create a terminal plan on the west side of Manhattan, preferably a public plan from top to bottom. If you cannot do that in co-operation with the New York Central, prepare one which will permit the New Jersey roads to come in and use it under competitive conditions; and it should be done so as to make as desirable a railroad property as possible, as quickly as possible.

I think the essential thing is to provide practically for future bringing over of the New Jersey roads; and at present you should make it as easy and inexpensive as possible. That is your problem. I never got into that.

Q. I can see the desirability of a municipality owned terminal here, but it has some difficulties when you attempt to apply it to this situation? A. This great road can be constructed by the State or by the city from 60th street south, that is where we leave the New York Central ownership, that is, what they own virtually, except some street ends, and there is no talk at the present time about it, although we want the opportunity kept open in the future, to utilize the Riverside district to the north. But that is not the problem now. But if you will save a strip along the

waterfront, you leave that open. The railroad controls the situation at present, as far as it controls, down to 60th street, where this yard ends. From there south the construction of the elevated railroad is a comparatively inexpensive enterprise. I had the figures when I was Dock Commissioner. If you call Mr. Crasson I think he can give you that. To construct a two-track road from 60th street to 23d street at the present time, it need not go farther than that — or all the way down to St. John's park, even, will not be costly. It should be a State rather than a city enterprise. The State or city could issue its bonds for construction for 1 per cent less than the railroad; and that 1 per cent could be an amortization fund, and the State could use the New York Central as its construction agency, and the 1 per cent would afford a basis for amortization to gradually wipe out the debt. The Central could be put under the obligation to take care of the traffic of the New Jersey roads on that structure, and then additional tracks could be constructed on the system to the west. If once done, you would have comparatively little difficulty in developing a terminal corporation for managing the whole thing. As long as the inducement is here to grant it, there will be a fight to get hold of all they can; and the New Jersey roads are interested in maintaining the status quo.

When you have broken down the status, the present status of the New York Central, the New Jersey roads will want to come in.

By Commissioner Beard:

Q. I think we have agreed as to the desirability of public control from 60th street down. You said awhile ago that probably the railroads would want separate terminals. But, from the point of view of the merchant with goods to ship in and out, are separate terminals desirable? For instance, suppose a man having a number of letters to post would go to 42d street to mail one letter and then to 30th street to mail another, and then to 16th street to mail another, would that not be an intolerable nuisance? Why does not that apply to freight delivery as well as to letters?

A. It does. It seemed impossible to realize any such scheme a few years ago. If you are thinking of the city, and the best organization, it is to have the one terminal utilized, and adapted to the best interests.

Q. Should we not think of the merchants and citizens, rather than the interests of these separate companies? A. I think it is to the interest of each.

Q. Do you think there is no conflict between the interests of either of them? A. No, sir; the city and State have done so little in the way of city and State development, and in the way of a unified co-ordinated development, and nothing has been done in the way of comprehensive development, and as a consequence each steamship company and each of the railroads has had to build its own terminals; and some have done well, have been very energetic, as compared with other roads. They do not want to give that advantage up. The roads which have made expenditures do not want to give up their advantages, and will fight comprehensive development plans, as they have here fought them for years in order to hold on to their investments and in some way the terminals must be pooled, and after the terminals are pooled, freight must be pooled so that the railroads will get out of the pot something of what they put into the pot. And in my judgment the effort of the Interstate Commerce Commission to keep up competition between the railroads has been a faulty system; and the prevention of pooling, and the insistence of so many members, has worked against the real interests of others. It should be continuous operation, just as coal goes on a belt conveyor. Freight should be handled in the same way and not pulled apart, as it is, regarding the federal regulations and regarding pooling.

Q. Then efficient and cheap handling of freight requires a common way and common user throughout? A. Yes.

By Commissioner Rounds:

Q. Have you considered what compulsion on the part of the public could be used to compel the railroads to come to this joint-way, or joint-user? A. We have it in the federal government way of doing it.

Q. But whether the State can come in, is uncertain? A. The State is supposed to be a sovereign in its own jurisdiction. The city of New York cannot control the national transportation through the State of New York, which is a great national enterprise, with the simple charter authority it has from the Legislature. It is virtually a matter for the exercise of the sovereignty

of the State, as I said before. The ports well organized in the United States are San Francisco and New Orleans, each of which is a State enterprise, and Montreal, in Canada, is managed by the government. The management is ministerial appointments by the existing government of Canada at any time. They do not get legislation, but they make legislation and are held responsible for it afterwards.

By Commissioner Stoddard:

Q. There seems to be a gap at the point where you left this beautiful child on our doorstep and where we took it in. From 60th street north, the New York Central owns; from 60th street down, it has a right-of-way which it claims in perpetuity, and that is on the marginal way. Now, you propose to have that marginal way used as a municipal way, and to put strings on the future rights which the New York Central shall have. How will you get over the rights which it claims in perpetuity, and these rights which are to be revoked or recaptured, how shall you persuade a corporation now claiming rights in perpetuity to accept rights not in perpetuity. I think that is the problem. A. I think that is your problem.

Commissioner Ainsworth.— It involves compensation.

Commissioner Stoddard.— But not for nuisance values.

By Commissioner Ainsworth:

Q. It involves compensation for rights such as the court may determine? A. Yes. It exercises rights which might be characterized as a nuisance. The central thing is to establish the access of the public. If the Central had not any rights there and the State tried to put them off in three days, that scheme would come to an end. You would cut the throat of the City of New York. It is as impossible to cut these arteries, as it would be to cut the arteries of a human being, just as it was when Mr. Croker tried to rip the elevated railroad out of Battery park.

By Commissioner Stoddard:

Q. When the railroad company says: Unless we have these facilities that we desire, and unless we are permitted to keep in perpetuity our present rates and those of the future, unless we

get those we will not operate, and the City of New York cannot put us out, outside of that you say the question is to frame a problem, and you have given us a commendable and ideal scheme, but how are you to get possession for the purpose you have outlined of the right-of-way from 60th street to 30th street, unless you do it with the assent of the corporation now claiming control there. It must be done by law and in a just way. I would like to develop your mind on that point if I could, as you have given so much study to this? A. I never was brought face to face with the actual solution of the problem. We worked out the plan, and negotiations with the Central,—we got to the point, and then it was taken away from us.

It seems to me the first thing is a reasonable and practical plan, just confining it to the district you spoke of, 60th street to 30th street. Now suppose you take the New York Central plan, the plan of 1911, which is very largely their plan. They submitted it. I criticized it and tacked some strings to it, but the Dock Department plan of that year was based on the New York Central plan, which is for a marginal way all the way down along the park and an elevated line below the park. Now, take that plan, it is their own plan and say: "Gentlemen, you must take these tracks off the surface, and place them on an elevated structure which we will build and rent you as cheaply as you could build it yourself, and pay the interest on the bonds."

Is not that a reasonable proposition to go to the Legislature with? And if it is a reasonable proposition, you can enforce it. You would change it from the basis of a permanent right-of-way to the basis of rental. I would give assurance of permanent right-of-way.

Q. But in 1846 assurance was given to them, so why should we give that assurance again? A. I think it is essential that the New York Central should feel that its access to those terminals must be safeguarded.

Q. I might agree with you entirely on that proposition, but how will you persuade the corporation which in its own mind is the owner of this right-of-way in perpetuity? A. I am not a lawyer and cannot pass on those things. But it seems to me no railroad has a right to maintain an obstruction and a nuisance; and they cannot do it.

Q. But they do? A. I think the Legislature is strong enough to take care of that.

Q. What I want to get at is whether you had any such plan to overcome this obstacle? A. The present system is bad. Now, if a system can be devised which is direct and reasonable for taking the tracks off the street and putting them into an elevated road, or in a subway, I think the State of New York has sufficient authority to compel them.

By Commissioner Rounds:

Q. Would it be practicable, in your opinion, Mr. Tompkins, for the city to build a terminal down the marginal way without infringing the rights of the New York Central, as claimed by them — that is, to build an elevated railroad over the tracks and say to the Central, "We will leave you whatever rights you have. We will build it, and when we have completed it, we will compel you to get on it." A. I think that would be a perfectly good risk, to do that, and compel the Central to go on it. But I do not think the State need incur that risk or expense.

There was ground for criticism of anything which delayed or held up this at one time. Any plan agreed to now by the Central will be a tie-up. There is opportunity for thinking this up, only the pressure should be continuous without let-up.

By Judge Clark:

Q. Dr. Beard referred to this legislation, chapter 777 of the Laws of 1911. I think you said you were not clear in your recollection as to how that was done. My understanding has been a little different. It was, that the legislation to which you referred as drafted by Mr. John DeWitt Warner, and approved by yourself, was legislation proposed in 1910, which did not become law; that in the following session, chapter 777 of the Laws of 1911, based probably upon this draft to which you refer, was prepared by Mr. Place or someone in the railroad offices, and was submitted to the Legislature by the railroad? A. I cannot tell you. Ask Mr. John DeWitt Warner to come before you, and he can give you all the details.

By Chairman Van Benschoten:

Q. I will hand Commissioner Tompkins a copy of his report of 1911. It may refresh his memory. (Pamphlet handed to witness.) A. Yes; I said in this report, "I fully consulted the Central railroad, and though advised it preferred greater latitude, concluded that, except for right-of-way for its main tracks, within the following limitations, all that the road seriously needed or the City's interest would permit could be well provided for."

Q. You say there you consulted fully the Central railroad? A. We conferred fully with the New York Central interests and others.

Q. That was with regard to chapter 777 of the Laws of 1911?

A. That was with regard to one of the features of the bill, yes, sir.

Q. And that was drafted through the City Dock Department and the Corporation Counsel's office? A. Yes.

Q. And after conference with other bodies, too? A. Yes. At the instance of the Dock Department, and every one who could give us any information on that.

Q. And I believe, according to that report, there were some changes made at the instance of the New York Central? A. Yes, and in their favor.

By Commissioner Stoddard:

Q. And you took the responsibility for the introduction of that legislation, did you? A. Yes.

In the first instance, the question of markets is intimately involved in this west side terminal problem. You cannot have that terminal market until this west side question is solved. You cannot on the west side have that until you bring the railroads to the west side of Manhattan, and if you will couple those two interests together, I believe you can secure popular support for an adequate west side plan, that is, by tying it to the market plan. Your Mr. Miller has prepared a large mass of information, which is available.

The wholesale terminal market provides food for the people. The other terminals provide raw materials for the factories. One thing is understood by the people and the other is not. That is, what made this whole question, when this market problem came

up. I think if you could tie the port administration to the market issue, you would get a great deal of popular support and push for your plan.

By Chairman Van Benschoten:

Q. I assume that in preparing your plan of 1911, and giving your views here as to various plans and suggestions which have been made, that you do not wish to be understood any more than the Commission wishes to be understood that you or we said that the rights which the Commission has from time to time claimed are conceded? A. I do not think we ever conceded them, and I do not think the New York Central will either. The Central, of course, will make the best bargain it can. It is not an issue between the New York Central and the City, it is between the New York Central and the New Jersey roads, who do not want anything done. They cannot come out and say "We do not want this done," but undoubtedly that opinion makes itself felt throughout the various objections raised, and the essential thing is to break through that by modernizing the terms of the Central in such a way as to leave open the opportunity to those roads to use it.

By Judge Clark:

Q. Mr. Tompkins has been good enough to furnish us with some of his studies on this subject and he has agreed to submit papers as exhibits. Perhaps those can be annexed as exhibits connected with his testimony? A. I have a number of such publications which I will send to you.

Chairman Van Benschoten:

I think on behalf of the Commission, we desire to thank Mr. Tompkins for coming here and for so long a time giving us his views on these important questions.

I might also state for those here, and on behalf of the public, that you can see that to-day we have taken up one of the phases involved in the consideration of this great problem which is more or less closely connected with the development of the port and the handling of our freight traffic, and its relation to the New Jersey roads.

Different phases of this problem will be taken up from time to time, and we will naturally take up the different questions such as freight questions, Riverside Park questions, and other questions.

I would state at this time that the next public hearing will be held next Tuesday afternoon, December 18th, at 2 p. m. At that hearing Comptroller Prendergast will appear as a witness. There will be several hearings next week at which Mr. Place, Comptroller Prendergast and the Mayor will be heard. From that time on there will be more hearings, and more or less from day to day, as we may have session work. The hearing next Tuesday afternoon will be held in this room.

(Whereupon the further hearing was adjourned to Tuesday, December 18, 1917, at 2 o'clock p. m. at the Library, Chamber of Commerce, New York City).

PROCEEDINGS OF COMMISSION TO INVESTIGATE WEST SIDE CONDITIONS

CHAMBER OF COMMERCE, NEW YORK,

December 18, 1917, 2 p. m.

The Chairman called the meeting to order at 2 p. m.

PRESENT:

Chairman Van Benschoten, Commissioners Ainsworth, Beard, Miller, Rounds, Stoddard, Todd, John C. Clark, Counsel, T. N. Niles, Secretary.

Chairman Van Benschoten.—We will not wait for the other Members of the Committee. Doubtless they have been delayed in the transportation facilities up the State.

I will ask Mr. Prendergast to be sworn, if he will rise and raise his hand.

William A. Prendergast was called as a witness, and having been duly sworn by the Chairman, testified as follows:

By Judge Clark:

Q. Mr. Prendergast, you are the Comptroller of the city of New York? A. I am — for a very limited time.

Q. When did you become Comptroller of the city of New York?

A. January 1, 1910.

Q. Now, Mr. Comptroller, the work of this Commission is two-fold; the first part of the work is investigating the acts, proceedings and measures of the Board of Estimate and Apportionment of the city of New York and of the New York Central & Hudson River Railroad, under the provisions of chapter 777 of the Laws of 1911, and of the plans, profiles and agreements made or proposed thereunder; and, secondly, of reporting to the Legislature and to the Governor, the acts and conclusions and recommendations of the Commission.

First, I will ask you some things which will lead us along the history of this project which you have been familiar with since you became Comptroller, of course? A. Fairly, up to 1914, and after that, quite familiarly.

Q. And you are familiar with the Act of 1911, chapter 777?

A. Yes, sir.

Q. What was the first step that was taken under that Act?

A. The first step taken under that Act was the filing by the New York Central Railroad Company of a set of plans and profiles. Those plans and profiles were received by the Board of Estimate and Apportionment as provided under the law, and on their reception were referred, with the administration of the entire subject, to a committee consisting of Mr. Mitchel, Mr. McAneny, Chief Engineer Lewis and myself.

By the Chairman:

Q. In so far as your recollection will enable you, will you please give the dates, approximate dates, when these important steps were taken? A. I think the first plans were filed six months after the Act took effect; it took effect September, 1911. They were filed in that period, and immediately upon their reception were filed by the Committee. I will be glad to furnish that date later. I haven't it exactly now.

By Judge Clark:

Q. Before we follow out that line, Mr. Comptroller, let me ask a few questions: Were you familiar with the circumstances surrounding the enactment of chapter 777 of the Laws of 1911?

A. Yes, sir.

Q. Do you know who drafted that law and how it came to be proposed? A. I believe it was drafted in the first place by Mr. Place, or those acting for him; the draft of that law was submitted to Mayor Gaynor and Dock Commissioner Tompkins, and it was understood by them before it was presented to the Legislature.

Q. You were familiar with it at the time it was proposed? A. Fairly so; not thoroughly; only in a way.

Q. Did you regard it in the main as satisfactory? A. No, at that time I believed with some other of my associates on the Board of Estimate and Apportionment, — Mr. Mitchel and Mr. McAneny particularly — it would have been better if a larger measure of power had been left with the city as to the form of settlement; and believing that, I filed a protest with the Legislature signed by Mr. Mitchel, Mr. McAneny and myself. After a more intimate acquaintance and knowledge of the question, I believe the basis of the 1911 law is the best for the city.

Q. You believe it properly safeguarded the rights of the city? A. I do.

Q. Would you recognize the plans submitted by the railroad in 1911, Mr. Comptroller? A. I do not know that I would, Judge.

Q. I have a copy of it here and will submit it later. Well, after the submission of this plan in 1911 of the railroad, and the reference to the Committee of which you have spoken, what happened next in the progress of the plan? A. The whole question went into the Committee and was considered by it. Negotiations were opened with the railroad company, and those negotiations were in very large part conducted by Mr. Mitchel on behalf of the Committee. This is during the year 1912 and early in 1913. I was in no position to have much to do with the question in 1913, as I was not well, and was away from business for quite a long time. But in addition to the Committee's work, Dock Commissioner Tompkins co-operated with it and took a very important part in trying to develop a plan. Many conferences were had between the Committee, Dock Commissioner Tompkins, his special counsel, John DeWitt Warner, and the officials and representatives of the railroad company; and as a result of these conferences, this plan, known as the plan of 1913, was developed.

In addition, in 1912, the Committee of the Board of Estimate and Apportionment evidently came to the conclusion that it would be advisable to have some outside expert's opinion upon the proposition, and a committee of engineers, composed of Mr. Molleter, Mr. Metcalf and Mr. Green were appointed, and that committee devoted a great deal of time to the matter. I have not a copy of its report. It was filed with the Board of Estimate and Apportionment, and not printed, as far as I know. As far as I know, its conclusions did not help the Committee in its work. I say that without prejudice to the men on the Committee, some of whom were very able men.

Q. I show you a printed copy of the minutes of the meeting of the Board of Estimate and Apportionment, held March 27th, 1913, and at page 2283. Is that a copy of the report? If you have another copy, I should be glad to have you submit that instead. (Paper produced.) A. That is the same report.

Q. Instead of the extract of the minutes which I showed you, I show you now a printed pamphlet report of the Committee on Port Terminal Improvements, of the Board of Estimate. That is the same report, is it? A. Yes.

Judge Clark: I ask to have that marked in evidence.

(The paper referred to was marked "Commission's Exhibit No. 1," of this date.)

Q. Who were the members of the Committee that made that report, Commission's Exhibit No. 1? A. Mr. Mitchel, Mr. McAneny, Mr. Lewis and myself.

Q. What was the next step after the presentation of that report of the Committee on Terminal Improvements of the Board of Estimate and Apportionment? A. The report was submitted to the board, and it was understood by the Committee that it was submitted for consideration. I wish to say that — Mr. McAneny will of course confirm this — neither he nor I were very deeply committed to that report. We signed it, and with most of its conclusions we were in agreement, and are still in agreement. I know I am. I was of the opinion, however, that some of the questions — particularly the park proposition and the treatment below 60th street — had not been carried quite as far as it might

have been wise to carry them. But I signed the report, as I believed it was the best thing that could be suggested up to that time. I furthermore appreciated that there had been a great deal of valuable work done upon it, especially by Mr. Mitchel, and for general purposes it was proper to submit it to the board as our report. It was decided that public hearings should be given on the report, and those hearings took place, as I recollect, in the month of June, 1913. I think there were two hearings. The principal objections made at the hearing to the report were upon the question of the city's rights, the title of the company to land that it claimed to own, objections to the Manhattanville adjustment, and also to the proposed treatment of the railroad through Riverside Park. But I will say that the most important objections seemed to me at that time to be against the question of title held by the railroad.

The opinion of the Corporation Counsel was asked — some of the protestants who came to the first hearing said they thought we should have the opinion of the Corporation Counsel on some questions proposed. Mr. Julius Henry Cohen propounded a number of questions and those matters were all referred to the Corporation Counsel, and after hearing from him, we had another hearing and it developed that the basis upon which the Corporation Counsel had formed his opinion did not satisfy those who had asked for that opinion, at all, and generally the whole proposition was rather in an inclusive and unsatisfactory state.

Believing that nothing tangible could be done at that time, and that the question of titles was one which would require a considerable time for its settlement, I suggested — in fact, I moved at that meeting, that the whole matter be referred back to the Committee on Port and Terminal Facilities. That was done. That was in June, 1913. After that, in 1913, nothing was done with it. The reasons for that will be plain to you, I think, a change in administration was about to take place, a municipal election was about to be held, and it was our feeling that the subject was altogether too big to make an attempt to settle it within the remaining months of the administration; so that is what was done with the report of March, 1913.

Q. When was the matter taken up again? A. In January,

1914, when the new administration went into office, a new Committee on Port and Terminal Facilities was appointed. This Committee consisted of Mr. Marks, President of the Borough of Manhattan, Mr. Pounds, President of the Borough of Brooklyn, Dock Commissioner Smith, and myself, as Chairman. That Committee did nothing whatever during the year 1914, for the reason that we were giving our principal attention to the question of port development. There were discussions and talks about it, but there was no special treatment of it during 1914, except upon the part of the Dock Commissioner, and he prepared a plan which was in some senses an alternative of the plan of 1913, and that plan was put into test and it was submitted to the members of the Committee.

By Judge Clark:

Q. That was Mr. Smith? A. Yes, that was Mr. Smith. That plan was never made the subject of a report by the Committee to the Board of Estimate and Apportionment for the reason that we considered it simply as a suggestion, a suggestion made by the Dock Commissioner out of his experience and his study of the question for the guidance of the Committee.

That communication was considered by the Committee at several meetings, but it was decided to do nothing about it. We did not get that communication from the Commissioner until the early part of 1915, and some time after that I asked to be relieved from the service as Chairman, or even from membership, of the Committee. I wanted to get that into the Committee's records, to indicate how anxious I was to do anything with this problem. I would be glad indeed to have nothing further to do with it. The Board of Estimate and Apportionment refused to accept my resignation.

Q. I understand you to say you had little to do with the plan in 1912; that is, comparatively little to do with the report of March, 1913. A. That is true.

Q. And Mr. Mitchel was then President of the Board of Aldermen? A. Yes.

Q. And he was active? A. Yes; as Chairman of the Committee he would be the most active man. The work of such

Committees invariably falls upon the Chairman. He gets all the discredit and none of the credit. I told you the Board of Estimate and Apportionment refused to accept my resignation.

Q. That was early in 1915? A. About June, 1915. Realizing that if it were to do anything with the question, it would be advisable to get to work upon it, I suggested that there should be hearings given by the Committee to all interested, for the purpose of getting their views on a plan to be made.

Invitations were sent to every organization of the City which we felt would be in any way interested in this subject, and several hearings were held, three — there may have been four. This was during the summer of 1915.

The organizations invited were nearly all represented at the hearings; a railroad was also represented, and after several hearings it seemed to me that very little was to be gained from assemblages of that kind, as most of the opinions we heard were merely criticisms of the railroad, or its intentions, or its morals, if there be such a thing, and no helpful suggestions.

Mr. Reginald Pelham Bolton had submitted a sketch which he thought was a plan of the proposition to carry the railroad under Riverside Drive, and that, I think, was practically the only concrete suggestion we received at those hearings. So for this reason I suggested to the Committee publicly, and in the presence of the representatives of the civic organizations and the railroad company, that all the plans that had ever been submitted, meaning by that, the first plan submitted by the railroad company as the result of the legislation of 1911, the plan of 1913, the alternative plan prepared by the Dock Commissioner and Mr. Bolton's plan, and any other plans or data which could be found that had been sent to us, should be submitted to two engineers, one Mr. Goodrich, then the Consulting Engineer of the President of the Borough of Manhattan, and the other, Mr. Sullivan, the Engineer of the Board of Estimate and Apportionment. Those engineers were instructed to take the plans, and see what could be done with them, and give them careful study and report back to us when they were ready; to confer with the railroad company and anybody they saw fit, and to try to develop from all the plans and suggestions some workable plan which would probably be acceptable.

This committee of engineers, Mr. Goodrich and Mr. Sullivan, pursued their work from the month of August right up to the first of December, and then they were ready to talk with us about it, and they submitted to the committee drafts of plans and profiles, but treating especially of the Riverside Park portion of the subject; and we took a suggestion from them which would carry the railroad under Riverside Drive, and we considered it.

We submitted that proposition to the railroad company and it was not acceptable to the railroad company because of the very large expense involved; and they also found fault with it as far as the layout was concerned for railroading purposes.

On that question I think most of the members of that committee quite agreed with them, and also as to its being a most impracticable plan, we agreed with them, as we realized that to carry it out meant defacement of Riverside Park at 82nd street or 83rd street, and furthermore, it would be a very costly plan because of the necessity of shoring up and supporting some of the very heavy structures along the Drive. So, that one feature of the proposed plan brought to mind the proposition of very heavy damages some one might have to pay for.

We had a number of conferences with the railroad company after that on this point, and some other features of the general proposition. As a result of that, the railroad company came back to us and declined to accept this Riverside Drive plan, but proposed as an alternative that they would be willing to carry their line under Riverside Park; and they also desired that we should make a direct sale to them of several docks which they felt were required for their purposes, in the 60th street neighborhood. We called in the Park Department and had a number of conferences with the commissioner and his subordinates, with the view of finding out whether the plan of going under the Park would mean serious impairment of the Park, as a park. Photographs were taken of the layout, and counts made of the trees, and a record made of the different families to which the different species of trees belonged, and the probable damage to the trees and other vegetation, if such a plan were followed, and all in all, an effort was made to determine whether it would mean serious damage to the Park for park purposes.

After hearing what the representatives of the Park Department had to say, we came to the conclusion that there would be, if the plan should be treated in the right way, that is, the proper amount of work done, we reached the conclusion that no serious harm would follow to the Park at all; that the Park could be renovated, and in time would be as useful and beautiful as it was in its pristine capacity or existence. So the plan of going under the Park was adopted.

I speak of this as it was at that time the particular or principal point of discussion and the difference of opinion in regard to any new plan that might be framed.

Q. What were the considerations which were before you for the property south of 72nd street? A. The property south of 72nd street, the terminal yard had to be extended.

Q. That is the yard at 60th street? A. Yes. We refer to it usually as the 60th street yard, and certain properties were to be sold to the railroad company there in order to effectively round out its holdings, and in order to settle for all time the question of title to the lands in the yard. Some waterfront property—

Q. Dock property? A. Waterfront property. And then an elevated railroad was to be constructed from 60th street or 59th street down to 30th street yard at 37th street.

Q. What was the road to be from 72nd street to 60th street? A. The yard would occupy between 59th and 72nd streets, an elevated road from 59th street down to 37th street where the yard is, and from 30th street down the road would go through private property down to Canal street. The proposition to go through private property probably had been submitted by the railroad itself.

Q. Was not one of the cardinal objects of the Marginal Railway the use of the waterfront and dock below 30th street? A. I do not understand what you mean.

Q. Was not one of the cardinal or principal objects of this Marginal Railway the use of the waterfront and dock below 30th street? A. You mean the Marginal Railway discussed by Commissioner Tompkins and others, for many years?

Q. Yes. A. Yes.

Q. Why was it thought desirable to put the railroad back from the waterfront instead of at the marginal way? A. Men might have different reasons.

Q. It was proposed by the railroad company? A. It was proposed by the railroad company. In my own case, I accepted it as a very happy solution of the subject. The railroad has a right upon the westerly side of the city, and it is there, and has been there for many years. Unless by some method which the Legislature will devise and impose, the railroad is to be removed from the west side of the city, then it will continue to be there. Our problem was to so handle the railroad that there would be the least inconvenience to the public, the removal of any inconveniences, discomforts and dangers to the public which exist because of the operation of the railroad on the surface, and furthermore, to put the railroad where it would serve the city of New York to good advantage; and in doing that, to give it as much right as it has at the present time, and no more; and not to impair its facilities. So we felt in permitting them to go down through private property they were getting what they have now, and no more; they would get something as beneficial for them, but unquestionably better for the city.

Q. Why? A. For the reason that we were taking them off the surface of the street, and the road would be constructed with warehouses on each side of it, and it would be in position to serve the commercial needs of the city to better advantage.

As far as the advantage of the marginal way is considered, we could talk on that subject to-day and all day to-morrow. But to put the New York Central Railway upon the marginal way would, it seems to me, give it an advantage—I mean by an elevated railroad, in some new form—would give it advantages which it has not now, and to put it on the marginal way would give it a dominating position as far as the docks along which it would run are concerned, and instead of hampering it at all, it would be in better position than otherwise.

Furthermore, if New Jersey railroads were ready and willing to go to Manhattan and wanted to operate a marginal railroad, then, it seems to me, it would be time, and only then, to talk of using a marginal railway and put all of the railroads, including the New York Central, upon it. There has never been a disposition for the railroads to do that. I might say that as far as that is concerned, as far back as 1912, hearings of the most protracted character were held to get the views of the western

railroads on the proposition to come into the city of New York and operate on this marginal track. They were urged to do it. I recall meetings held in this room, held by the members of the committee of the Chamber of Commerce and with members of the railroad and of our committee, to urge the railroads to come in and use the marginal railroad, but they never would do it.

Q. You have been discussing the plan of 1915? A. Yes.

Q. That continued during the entire year? A. Yes.

Q. What was the next step? A. I would like to go back first and say that because of the question regarding titles which had arisen in 1913 and urged upon the Board very earnestly by the representative citizens, in 1914 the Mayor suggested that the Corporation Counsel's office should make a thorough study of the question of titles along the entire right of way of the New York Central; and this was undertaken by the Corporation Counsel's office, and it was work which occupied practically a year, because the reports on titles were not filed with the Corporation Counsel until very near the end of the year 1915 and some did not come in until 1916. I mention that to show that on this very important question we had taken the means we thought proper to determine what titles were in the city, what titles were in the railroad company, and so on, and a large staff of the Corporation Counsel's office was devoted to that work for nearly a year on that alone.

Q. When did the committee make the report? A. On January 15th they reported on this plan. That was January 15, 1916.

Q. That was not a report to the Board of Estimate? A. No; it was a statement to the public.

By Commissioner Beard:

Q. Was that report printed? A. It appears in the report made by the Board of Estimate to the committee.

Q. And the surveys, if any, were not printed? A. No. They are now in that, at page 29 of the report of April 22, 1916.

By Commissioner Stoddard:

Q. You are of the opinion that an exhaustive examination was made into these various titles by the Corporation Counsel at that time? A. Yes, sir.

By Judge Clark:

Q. That was when? A. Fifteenth of January, 1916. That statement was given to the press and it was quite largely published on the following day, which was Sunday.

Judge Clark: I offer that statement in evidence. (The paper was received and marked "Commission's Exhibit No. 2, December 18, 1917.")

Q. What was the next step? A. The next step was that the city's engineers appointed for this purpose, Mr. Cooper and Mr. Sullivan and Mr. Staniford of the department of docks and ferries, were instructed to prepare the plans and profiles. This had to be done in co-operation with the railroad company. It was immediately entered upon, and they worked from the middle of January up to the first of April. The plans and profiles were filed, I think, on the 8th of April, 1916.

Q. I show you plan and profile marked, "West Side Improvement Plan, sheets 1 to 44." A. That is the plan.

Judge Clark: I ask to have it marked in evidence.

Chairman Van Benschoten: All right.

(Paper marked "Commission's Exhibit No. 3, December 18, 1917.")

Q. That was in April? A. April 5, 1916, I think is the exact date.

Q. What was done when those plans were submitted? A. When those plans were submitted to the Board of Estimate and Apportionment, they were ordered displayed in public, as the law requires, and copies of them were put on exhibition at the office of the railroad company, and in the meeting room of the Board of Estimate and Apportionment, and also in the office of the Board of Estimate and Apportionment. The Corporation Counsel was instructed at the same time, I think, to prepare a form of contract, and within a few weeks after that time, that would be on April 22, 1916, the committee presented its report, which is this report (producing paper).

Judge Clark: I offer that in evidence.

(Paper was received and marked "Commission's Exhibit No. 4, December 18, 1917.")

The Witness (Continuing): I would like to say that contains not only the report of the committee on the question, but the opinion of the Corporation Counsel regarding titles, and a statement of the real estate and easements to be conveyed on either side, with the appraisals.

Q. Then what followed, Mr. Comptroller? A. After that, public hearings were had on this report. They were held before the Board of Estimate and Apportionment, and after we had them for a number of days, until everybody who had evinced any disposition to speak had been heard.

Q. Under the resolution you referred to, referring to the Corporation Counsel the preparation of a draft form of agreement or deed, the Corporation Counsel did later prepare such documents? A. Yes, sir. I will come to them. After the hearings, the whole question was referred back to the committee, as is customary in all such proceedings in the city government, and the Corporation Counsel proceeded with the preparation of a draft form of report.

The first preliminary draft of the report I think was ready in the early part of July. It was only a preliminary draft, and it was not complete in many particulars, and it was so understood. A few copies were printed and given to members for their consideration, members of the committee.

Q. Are those the final forms, Mr. Comptroller? (Handing papers to witness). A. Yes.

Q. What were the next steps? A. The next steps were the consideration of the form of the contract by the members of the committee and by the Corporation Counsel; and thereafter conferences with the railroad company regarding the form of the contract.

Q. Did the committee on port and terminal facilities submit further reports? A. The committee conferred with the railroad company and agreed upon a number of questions which were in dispute, and then the Corporation Counsel was instructed to prepare his final form of a contract,—I should say, the final draft of the form of contract. I use the term "form of contract" as so many people have talked of this document as a con-

tract between the city and the railroad company. It could not be a contract until it had been executed, and in any form in which it might appear, it would be subject to revision and change until its execution. So it was always understood this was a mere form of contract. And this form of contract, when we were ready to publish it, was submitted to Judge Hughes on the question of the rights of the railroad to operate on the west side, the constitutionality of the act of 1911, and a number of other questions, and practically to pass upon the form of the contract.

Judge Hughes did so and furnished the Corporation Counsel with an opinion, which I presume you have, and then he furnished the board with some subsequent opinions raised by the taxpayers and others. And in the form in which the contract was approved by Judge Hughes, it was sent to the Board of Estimate and Apportionment, and public hearings were ordered upon it.

Q. Are these the two forms (producing papers)? A. Yes.

Q. These two forms, the draft form of agreement and the draft form of deed? A. Yes.

Q. I ask to have them marked in evidence.

(Paper marked "The City of New York with the New York Central Railroad Company—Draft Form of Agreement"—marked "Commission's Exhibit No. 5, December 18, 1917.")

(Paper marked "The City of New York with the New York Central Railroad Company—Draft Form of Deed"—marked "Commission's Exhibit No. 6, December 18, 1917.")

Q. I show you two documents, report No. 2 of the committee on ports and terminal facilities, and report No. 3: What were the circumstances of the reports? A. Report No. 2, dated May 12, 1916, was to answer certain objections made at the public hearing. Questions which we felt were of considerable importance and should be answered at once, both as to facts and the law of the matter.

Q. That includes the opinion of the Corporation Counsel? A. Yes.

Judge Clark: I ask to have that marked in evidence.

(Paper received and marked "Commission's Exhibit No. 7, December 18, 1917.")

The Witness (Continuing): Report No. 3 is dated January 20, 1917, and consists of the appraisal made by Messrs. George R. Read & Company of this city, an appraisal of the real estate to be made, and also a report by Mr. George E. Kessler, of St. Louis, employed to report on the landscape features of the plan.

Judge Clark: I ask to have it marked in evidence.

(The paper was received and marked "Commission's Exhibit No. 8, December 18, 1917.")

The Witness (Continuing): From the time the report of the committee was submitted on April 22, 1916, very strong objections were made to the real estate charges which had been used in the committee's report as a basis for adjustment with the railroad company. And there had been numerous suggestions for another appraisal. The appraisal had been made by the real estate expert of the Department of Finance. He had made an appraisal for the committee in 1913, and George R. Read & Company had made an appraisal.

By Commissioner Beard:

Q. What was the name of the appraiser? A. Charles A. O'Malley. The city used him, as he was an expert in the city's service. Many faults of a general character were found with the appraisal and always they lacked specific quality. But at a conference of the Board of Estimate and Apportionment, held in May, 1916, at which I was not present, as I was not in the city at the time, Mr. Marks, president of the Borough of Manhattan, urged that the board have a new appraisal made, and the board agreed to that, and selected George R. Read & Company to make the appraisal. They took three or four months to do it. They submitted their appraisal. The only difference in their figures and those submitted by Mr. O'Malley, were in the neighborhood of \$35,000, as the report shows.

That is how the second appraisal came to be made.

The report by Mr. Kessler arose in this way: The objections to the park treatment were some of the objections made to the plan, and several times it was suggested we should have some experts, landscape architects, to look the landscape over and give us some outside opinion. Some of the organizations interested in

preserving the park in its present character had asked for such expert opinion. So in July or August, 1916, Mr. Ward, commissioner of parks, was asked to suggest a man for such a study, and he suggested Mr. George E. Kessler, of St. Louis, and Mr. Kessler was sent for and came here and he met Mr. Maltbie, who was the Mayor's representative at that time, the Mayor being away on his vacation, and Mr. Kessler came to me and I outlined to him what we had been trying to do with this proposition for quite a long time. I told him we wanted from him his best opinion as to the park treatment. If he felt the proposition for treating the park would not conduce to the best interests of the park, we wanted him to tell us what he thought about it exactly. We wanted his best views, we told him, and judgment.

Mr. Kessler made his study and submitted his views in this report (producing paper). I wish to say this—Mr. Kessler, through Mr. Maltbie, consulted the first preliminary draft of the form of the contract, or rather got the idea it was his duty to pass on many questions outside of the park treatment. He prepared a report largely based on that incorrect theory of his services, and when the mayor returned to the city I had a chance to talk to him about it; we were of the same opinion that it was not a report on the park treatment, and we sent for Mr. Kessler and told him we wanted a specific report on park treatment; and then he prepared the report in this report marked No. 3, your exhibit 8. At one of the public hearings last February, Mr. Lawrence McGuire, president of the Real Estate Board of this city, appeared on behalf of the board and said that as far as he and his associates could tell, there was some reasonable doubt as to the merits of these real estate proposals, that the board felt as a matter of public interest and duty, to have this question settled, they tendered the voluntary services of the board. That was done publicly, and the offer was publicly accepted, and the mayor and myself both stated we would abide by any award the Real Estate Board would make.

The Real Estate Board appointed a committee from its membership to make these appraisals, and that committee did so. It consisted of Lawrence McGuire, chairman; William L. De Bost, Walter Stabler, Alfred E. Marling, Frank D. Ames, Robert R.

Rainey, Joseph H. Ward, Waldron P. Belknap, Francis K. Stevens. Francis C. Bangs acted as counsel to the committee.

I wish to say, that according to the information given to me by Mr. McGuire, the committee personally visited and examined every piece of property which would have been involved in this settlement, and it made its report on May 24th, 1917, and that report has been printed.

Judge Clark: I ask to have this report marked in evidence.

(Paper received and marked "Commission's Exhibit No. 9, December 18, 1917.")

Q. Before the date of that appraisal, May 24, 1917, what had intervened in the progress of events? A. A great deal had intervened, Judge; a whole lot of things had happened.

By Chairman Van Benschoten:

Q. More particularly as to what the Board of Estimate had done and the city's action? A. As far as the Board of Estimate and Apportionment is concerned, I think the hearings given by the board on the form of the contract, they ran over nine days.

By Judge Clark:

Q. When was that? A. February and early March of this year; and at the conclusion of the hearing the whole matter was referred back to the committee and a motion which I made, in fact, a resolution which I offered. We thought everybody should understand these hearings were not conclusive, and no matter how perfect a form of contract was prepared, it could be bettered by public discussion. At the end of the hearings we wanted to take back the contract and see how it could be bettered by the suggestions made at the hearings. The form of the contract and deed were sent back to the committee, and the committee proceeded to view the matter further. What the committee did after that is locked up with their development.

Q. There was litigation? A. Yes, sir, litigation and legislation.

Q. Which came first? A. They had a hard fight for precedence.

Q. What did you do in that way? A. The first thing in a legislative way was at the very opening of the session, that is, at the opening of the regular session of the last Legislature; and Senator Burlingame of Brooklyn introduced a resolution calling for a legislative inquiry into this matter, and what the Board of Estimate and Apportionment had been doing in regard to it. I feel that I am justified in saying that resolution was couched in not only unparliamentary, but ungentlemanly and untrue language, and as I notified Senator Burlingame personally, long ago in public, and in writing—I am not taking any advantage of him now. Immediately after that was published, the morning after its presentation, I sent a telegram to Senator Brown, the majority leader in the Senate and Speaker Sweet, announcing that we welcomed an inquiry into everything that had been done. I suggested that the inquiry should not take on the form of other inquiries in this city which had taken on a disgraceful character, and I named them, so that they would know what I referred to, but we would be glad to have a thorough inquiry into this question; and we welcomed this as we have welcomed anything else that transpired in the board, large or small, an inquiry into it.

The Senate took no action upon that resolution, but Senator Ottinger of this city, introduced a bill to transmit the jurisdiction of this question to the Public Service Commission, and that was in June, I am sure. A hearing was given on that bill on or about the sixth day of February. I introduced the resolution in the Board of Estimate expressing the board's opposition to that proposed resolution, and that was adopted; and President Matthewson of the Borough of the Bronx, and President Pounds of the Borough of Brooklyn, went to Albany as the representatives of the board, to oppose that resolution, and they did so.

Nothing was done about the resolution immediately—in fact, not for quite a long time; but about the 10th or 11th of February, Governor Whitman instructed the Public Service Commission to inquire into this whole subject for him, and to advise him particularly regarding the value of any rights in property or franchises which were to be conveyed. This action upon the part of the Governor brought the Public Service Commission actively into the matter, and in view of that fact, negotiations were formally

opened with the Public Service Commission by the Board of Estimate and Apportionment, and our committee, or some members of it, held conferences, some members at times and the whole committee on other occasions, held conferences with the Public Service Commission, or representatives of it, I should say, and as a result of those conferences, different suggestions were made, some of those suggestions and some of these suggestions made at the public hearings were considered by the committee and by the railroad representatives, and an agreement reached on some of them; and the basis of that agreement you will find in a communication addressed to Governor Whitman about the latter part of March—March 22, 1917.

I think it is important to show on the record here, as it is in large part a modification of that contract, and if the contract had been entered into between the city and the railroad company, this is the change as suggested by Governor Whitman, which would have gone into that contract.

Have you a copy of that? A. Yes. (Paper produced.)

Judge Clark: I ask to have it marked in evidence.

(Paper received and marked "Commission's Exhibit No. 10, December 18, 1917.")

Q. That is an official communication? A. It is an official communication signed by the mayor and president of the Borough of Brooklyn and the dock commissioner and the comptroller.

I will say to you that it being very generally understood that certain legislation would ensue, the committee made no further move in this matter with a view to securing any definite agreement with the railroad company, outside of these changes contained in this communication to Governor Whitman, because we were well advised that the legislation would be enacted in some form, and we felt in whatever form it was, we felt pretty certain rather, that it would be in such form that it would negative some of the principal features of this contract that had been considered; so the committee did nothing about it.

Towards the end of the legislative session, a bill known as the Ottinger bill, which modified Chapter 777 of the Laws of 1911, was passed, and that provides for a conference committee of the

Board of Estimate and Apportionment and of the Public Service Commission, and provides that if no agreement is reached by December 1st, the Public Service Commission may then impose a plan upon the railroad company, and the most important change it made, which, of course, would entirely negative the form of contract which we had suggested, was that in any case where land was taken over by the railroad company, it should be on a rental basis; and then the Green bill which provided for the appointment of commissioners was passed, which gives me the opportunity to meet you gentlemen to-day.

That, as far as I remember, is the legislation.

By Chairman Van Benschoten:

Q. Was there any litigation which affected the action of the committee in any way? A. As far as the litigation is concerned, in the middle of January an injunction was sought by an organization known as The Society for the Prevention of Municipal Waste, represented by Mr. William M. Bennett, as counsel.

An order was made by Judge Cropsey of the second department, commanding the Board of Estimate, nor any of its officers and committees, to take any action in this matter until the question was decided. That matter came before Judge Cropsey. Before the question of the mandamus could be adjudicated, another order was issued by Judge Cropsey, commanding certain officials to appear before him under a certain provision of the charter, to testify in regard to this matter. It was a sort of inquisition. At least, that is the way I interpret this provision of the charter, not Judge Cropsey's action in connection with it.

By Chairman Van Benschoten (Continuing):

Q. It may be well to state the facts, and not to characterize. A. That provision of the charter we presume to be for that purpose. We felt that provision of the charter was not framed for such purposes, and we resisted its application in the Appellate Division, with the result that the order made by the learned justice was quashed.

By Judge Clark:

Q. Was any attempt made to push this before the Board of Estimate and Apportionment? A. Never. A mandamus was

before Mr. Justice Manning, and was tried, and it lasted over three days. During most of the time, Mayor Mitchel was on the stand for the complainant. A few other witnesses were called. At the end of the trial Judge Manning gave an opinion, which you have doubtless in your records, in which he dismisses the proceeding.

One of the principal statements made by Judge Manning is: "There is no merit in the plaintiff's suit, and, what is more, there never was any justification for its action in law or in morals."

By Commissioner Beard:

Q. You say no attempt was made to put the contract through the Board of Estimate and Apportionment? A. I did.

Q. May I ask why it was never brought to a formal vote? A. There were several reasons. First, we never reached the stage where a vote would be taken or where we would be ready to take a vote. I have told you, that in view of the imminence of certain legislation, we would not take any action before the Legislature adjourned. If the Legislature had adjourned without taking any action on this proposed resolution, I am sure an effort would have been made to reach a conclusion in the Board of Estimate and Apportionment.

Q. You had no knowledge as to what would have been the probable vote on such a form of contract, had you? A. Why, I think I did. Yes. I never was in any doubt about it, even before the form of contract was submitted. I might even say at the time the report was made, in April, 1916, and I haven't any hesitation in saying to you, because I am very frank, that I think there would have been eight votes for the form of contract, seven votes opposed to the form of contract, and one vote in the balance. It requires a majority to pass.

By Commissioner Stoddard:

Q. Eight, seven and one? A. Eight, seven and one.

By Chairman Van Benschoten:

Q. Mr. Prendergast, you stated a little while ago that the plans adopted provided for the right of way for the New York Central

through private property below 30th street, that that was a suggestion of the railroad? A. Yes.

Q. Merely that there may be no mistake on that, I find on page 2 of the Report No. 2, about the center of the page, this statement: "The Committee repeats the statement made in its report of April 22nd, to the effect that the main reason for compelling the New York Central to secure its own private right of way south of 30th street was to free the city's waterfront for a possible municipally-owned joint railroad terminal." A. Yes.

Q. Now, if it was a suggestion of the railroad company, why was it necessary to compel it? A. That is a matter of language, Mr. Chairman; my recollection is very clear. I think this language gives a different impression, but if it does, I would correct it.

Q. You would correct it? A. Yes.

Q. Is it your opinion, that even within reasonable possibilities, that a terminal jointly operated by the railroads entering into the Island of Manhattan is desirable? A. Is it my opinion that it would be desirable?

Q. Yes. A. Yes.

Q. Did the committee make any effort to accomplish such a plan in working out this plan in 1916? A. This committee did not, as we felt it was quite useless to do it. We felt we had exhausted any possibilities of doing that in 1912 and 1913, and furthermore, in 1914, when this plan was under consideration in its initial stages, we were conferring with the railroad and South Brooklyn Marginal Railroad, and we thought we had understood their minds, and we never had any suggestion that they were disposed to change their mind about working the Marginal Railroad on the west side of New York.

Q. Had there been any request on their part, or any direct communication on the part of the city, asking for it? A. No, sir; there were neither requests on their part, nor any communication from the city asking for it.

Q. You did not know this positively, what the attitude of the New Jersey roads was on that point? A. Well, we could only judge from what they told us in 1912 and 1913. The way they acted in 1913 and 1914, and then their other passiveness at times

when it was understood that such a plan was in contemplation with the New York Central Railroad. It is reasonable to suppose, Mr. Chairman. Let us take January 15, 1916, when we gave out this statement saying a general agreement has been arrived at. Had there been a general desire on the part of the western railroads to use a freight terminal railroad in New York they would have come forward and said "Gentlemen, you are forming a plan with the New York Central Railroad; do not we deserve some consideration. You have not asked us to join. You asked them a couple of years ago, and you never asked us. We should have our day in Court."

Q. Did you think there was no duty on the part of the Committees representing the city to secure unified operation in the terminals? A. No. I thought we had exhausted every effort that needed to be made to get them to come in here.

Q. So the action of the Committee in not taking any step in that direction was based upon their belief that it was useless? A. Quite useless. During 1914 and 1915, we were having conferences with all of the leading railroads of the country in relation to South Brooklyn Marginal Railway, and never once was there a suspicion or intimation from them that they had changed their minds on the subject.

By Commissioner Beard:

Q. Do you think they were opposed to the plan or form of contract as finally drawn up? A. I do not know, Professor. They have always been so absolutely quiet about it, that it would not be fair for me to form a guess regarding their action.

By Chairman Van Benschoten:

Q. Mr. Prendergast, on page 5 of your statement of January 16, 1917, you state as follows: "The great difficulty with which the Legislature and the city have always had to contend, is the fact that the railroad has certain definite and comprehensive rights to operate within the city, of which it cannot be deprived, except by due process of law, involving adequate indemnification. It may be stated that the railroad possesses a practically perpetual right to operate upon the west side; that it has the right to extend its operations and facilities under the Railroad Law, and that the

city's ownership of the street has been the single barrier against this extension." Was that statement of the Committee based upon your own opinion, or the opinion of the Corporation Counsel which he has given to your Committee, or the Board of Estimate and Apportionment? A. This is my statement, and it is based upon — I would rather say it this way: I submitted it to the Corporation Counsel.

Q. And it had his approval? A. Yes — it had his imprimatur.

By Judge Clark:

I ask to have this statement of the Comptroller marked in evidence.

(Comptroller's statement marked "Commission's Exhibit No. 11, December 18, 1917.")

By Chairman Van Benschoten:

Q. Page 34 of your report, your original report on the 1916 plan, we find the Corporation Counsel's opinion as to the rights and titles of the railroad, and dated April 18, 1916, is this statement: "I have quoted fully from the opinion of the Court of Appeals for the purpose of accentuating the fact, that irrespective of any questions of title to land in the right of way or adjacent thereto, the railroad company has a franchise, upheld by the highest court in the State in unmistakable language, to operate a railroad within the city limits, upon and along the right-of-way now occupied by the railroad, of which it cannot be deprived, except by due process of law, in which case it would be entitled to just compensation." It was upon that opinion, stated to you by the Corporation Counsel, that your Committee acted in approving of the plan of 1916? A. Yes, sir; his general advice.

Q. And I assume you followed all of his advice, as given in that opinion; that is, you base your action as to legal matters upon that opinion of the Corporation Counsel? A. Yes, sir.

Q. I understood you to state that you believed it was wiser to have the New York Central go through the private right of way below 30th street, because it left the marginal way free for other use. A. Any use the city wanted to put it to, yes.

Q. Do you think that was preferable, to have a marginal terminal which could be operated by all the roads going into the city?

A. I think the city, if you could secure the co-operation of the roads, it would be advisable; and that includes the New York Central and all of the other railroads. That would be highly desirable if you could get it. In the absence of that, it is the city's plan to do the best it can.

Q. Why should it go through private right of way below 30th street and not between 30th and 60th? A. I do not know as I can answer that question offhand. I won't say that it related to the fact that the property had more value there, although that may have been a consideration.

Q. Now, from 30th street to 60th street, the elevated was to go along the marginal way, and to be so constructed that additional tracks could be built for the city, or for the use of other roads? A. Yes.

Q. Why would not that plan have been advisable below 30th street? A. I have said I could not give a satisfactory answer offhand. I could probably prepare one for you.

Q. But I said, why would not that same plan be advisable or desirable below 30th street, instead of putting the Central into the private right-of-way? A. I think you will find this to be the fact: In the first place, there is the marginal way below 30th street, I think there is more available space there at the present time, and there has always been more traffic there and consequently the necessity for having more space; and it would be advisable to hold that as free as possible until the city had its marginal railroad. I cannot recall all the reasons which influenced me, or anybody else; but I am sure I can work out a complete answer to that question.

Q. Was there a time, Mr. Prendergast, when the railroad, or the New York Central, offered or gave an option to the city to purchase this right-of-way below 30th street? A. Yes, sir; in 1913.

Q. Just what was that option? A. You will find that on page 38 of the report of March 27, 1913, your Exhibit No. 1, page 27.

Q. Was anything ever done with regard to that option? A. No, sir; not a thing. The whole plan of 1913 practically fell to the ground, after the public hearings of June of that year.

Q. Was there any discussion with the representatives of the

railroad company, as to the option to purchase its rights above 30th street? A. No, sir, none that I know of, or ever heard of.

Q. If the New Jersey road had shown an attitude of willingness to come in to the joint operated terminal, would you still have favored the New York Central going down the private right-of-way? A. What I would have favored if the New Jersey roads had shown a disposition to come in and operate a joint terminal here, I do not know, but I am certain any plan worked out would have included them all. I feel certain of that.

Q. Do you think that the Central having the right-of-way through the middle of the block, with spurs running into the warehouses, as it might provide them, would leave open the door for fair operation of other railroads coming in later? A. I do not see how it would interfere. They would either come in with a reciprocal arrangement with the Central to operate on their lines, or on a municipally owned line, or on a line they would build under some agreement with the city.

Q. But there would be no way to compel the New York Central to carry their cars over these spurs to the warehouses? A. That is covered by the Interstate Commerce Law. I do not think there would be any danger of the Central interfering there. That is a legal question, and I am only a plain layman.

Q. But in your opinion, you feel the interest of the city was fully protected as to the use of these private spurs from the railroad to the warehouses, under the power of the Interstate Commerce Commission Law? A. I think so.

Q. Has the Board of Estimate received any communication from the Public Service Commission since the passage of this Ottinger bill, to which you have referred? A. Oh, yes.

Q. What was that communication? A. Well, the Board of Estimate has received a very large number of communications.

Q. I mean, relating to the New York Central. A. Yes. It received a communication advising the Board that it, the Public Service Commission, had appointed its representatives as members of a conference committee, and suggesting its readiness to meet; and on my motion, before we received that communication from the Public Service Commission, the Board of Estimate had started the machinery for the appointment of its members. Immediately

upon the passage of the Ottinger law I called a meeting of the Port and Terminal Facilities Committee and asked Mr. Place to come to it, and after that meeting was over I prepared a report which was handed in to the Board of Estimate, in which we said that the Ottinger law had given us this condition, and asked that the Board proceed to appoint its members of the Ottinger committee.

At the first meeting of the Board held after this report went in, it took that action, discharged that committee, and appointed the members of the Ottinger committee. Since then I have passed over to Commissioner Hervey of the Public Service Commission all of the papers we had under that subject, of every kind and description, excepting one or two communications, and I advised him what they were. I advised him what they were.

By Judge Clark:

Q. Can we have a copy of that communication of the Board of Estimate and Apportionment from your Committee? A. I have a copy of it here, I think.

Q. It tells how your Committee felt about the matter? A. This was printed privately.

Q. May we have a copy? A. Yes. (Copy produced.)

Judge Clark.— I ask to have that marked in evidence.

(Paper received and marked "Commission's Exhibit No. 12, December 18, 1917.")

Q. After your committee had turned over all the papers to the joint committee, to Mr. Hervey, to which you have referred, did the Board of Estimate receive a communication from that joint committee? A. Yes; the Board of Estimate has received certain communications, Mr. Chairman; I could not tell you all there were, because the only ones I kept copies of are of particular interest to me — or, I mean, that interested me.

Q. I will call particular attention to one about November 20, 1917. A. Oh, yes.

Q. Have you a copy of that? A. Yes, I have the mimeographed copies since. Yes, I have got them all here.

Judge Clark.— The witness produces report of November 20, 1917, of the Joint Conference Committee to the Board of Esti-

mate and Apportionment and the Public Service Commission for the First District.

(The report was received in evidence and marked "Commission's Exhibit No. 13, December 18, 1917.")

Q. Will you state in just a word, what that report or recommendation was that the Joint Committee made to the Board of Estimate? A. The only suggestion which the Board had, I believe, was a request that the Board of Estimate and Apportionment should forthwith rescind the action taken by its predecessor in authority in 1847, consenting to a certain right-of-way for the New York Central Railroad Company.

Q. What action did the Board of Estimate take on that? A. The Board of Estimate laid that question over until the first meeting in January.

Q. Was it not first referred to the corporation counsel? A. Did he give an opinion upon it — yes.

Q. What was the opinion as to it? A. His opinion was that the Board was without authority to do it, and I have a copy of his opinion here. The corporation counsel's opinion, by the way, is spread on the minutes of the Board of Estimate and Apportionment. It is a matter of public record.

Q. Now, Mr. Prendergast, you have given a good deal of study and investigation to these matters, and you have referred to the fact that the Ottinger bill made provision that all land to be taken by the railroad was to be on a rental basis, on a 25-year adjustment plan. What is your opinion as to a provision of that kind being required in the statute? A. Well, my opinion is that it is not a very workable plan under which to come to any agreement with the railroad company, and in a great transaction of this kind I think the city is in a better position when it can make terms or arrange terms rather than where it is held down to any definite line or course of action. If the advantages were all to be upon one side, why, you might say that it is properly — that it is perfectly proper for the city to be in a position to compel having done anything that it desires to do, but in arrangements of this character, where the advantages, I think, are largely reciprocal, I think it is better to give the city a freer hand in whatever it may have

to do. Now, on the question of whether these properties should be only given over upon a rental basis, why we get right into the very heart of a most important economic problem; and that is, to what extent shall the city alienate any properties of any kind or any rights of any kind that it controls, to a public service corporation. Have I stated that, professor? Now, that is a very big subject. I am not differing one bit with those — I mean I am not going to question the wisdom of those who hold tenaciously to that doctrine.

By Mr. Miller:

Q. What doctrine? A. The doctrine that the city should never alienate.

By Commissioner Beard:

Q. In perpetuity? A. Yes. I say I am not going to question their wisdom, but I do believe after eight years' stormy experience as a city official that the give-and-take plan is probably the better one after all.

By Chairman Van Benschoten:

Q. You mean in this instance, or in all instances? A. In any instance, yes.

Q. And that was the basis upon which the 1916 plan was worked up? A. Absolutely, Mr. Chairman, and if you will do me the honor to read this statement I prepared last January, you will find that I treated in that way the bargain. It is the term that is used, "A bargain." It was never supposed to be anything else than a bargain. Now, if these economic principles were immutable, we would be on an entirely different basis, but they are not immutable. They change with the dispositions and the courses of the times. There was a time, for instance, when the Central got these rights, when no one questioned that it was the right thing to do. No one questioned for instance, when immediately after the great war and it was necessary to open up the West to civilization and to commerce, that it was a good thing for the United States government to subsidize a great railroad company, and to finance it, even though it lost a lot of money by it, lost it on one side of the ledger; on the other side of the

ledger, which is the side of the growth of the country, the expansion of its commerce. There probably was a very large credit, so that, as I say, if these economic laws were immutable, then I am perfectly willing to agree that they should be regarded, and that everything we do should be done in accordance with them, but they are not.

By Commissioner Beard:

Q. What would you say is the tendency of recent legislation on that point, both for the State of New York and other States?

A. I would say that the tendency for legislation, both for the State and for the city, has all unmistakably in the last twenty years been in that direction, on that very principle of non-alienation. I say that, and I am not prepared to say that it is going to prove to be the very wisest plan after all. I may not live to realize that, and I may, because times are changing very quickly.

By Chairman Van Benschoten:

Q. Mr. Prendergast, you are very familiar with the contracts relating to the construction of the subways? A. Somewhat.

Q. Yes. Do you believe that any rule — any different rule or doctrine should apply to public service utilities such as a subway located entirely within the boundary of the city of New York, and the terminal of a trunk railroad system, such as the New York Central? A. I think the cases are not analogous at all, Mr. Chairman. In the case of the New York Central, we are dealing with an institution, or, rather, a company which is pronounced to have certain definite rights. In the case of the subway companies, we were dealing with companies that had no such rights at all. They were entering into virgin territory over which they had no control legally or any other way. The city was in complete control of that territory, consequently, the city was in a position to impose the recapture principle, and that is the only position it was in to impose the recapture principle.

By Commissioner Beard:

Q. But as to the new facilities to be granted to the New York Central, the right to build two or three or four tracks parallel to

these present lines, was not the city in a position to impose new terms there? A. The city was in the position to make a good bargain, and it did, because we believe the city under this plan was getting full return for any of the privileges granted to the New York Central.

Q. You said in the case of the subway, the city was in a position to impose terms? A. Yes.

Q. When you grant anything, are you not in a position to impose terms? A. Yes. We were dealing there with an entirely new position. It is true, as far as the certain additional track, where the Central might be getting into certain locality, we could say "Here we are going to put in operation an idea of capture," but at the same time, at another place we were considering that we might want them to do something that would be of great advantage to us; so one would balance the other; that is what I meant when I say we were making a bargain here.

Q. Do you think the matter of a few millions of dollars which you would get for the property would overbalance the advantage gained in allowing perpetuity of franchise? A. Yes, I do, because the advantage to the city of the solution of this question and the operation of these improved lands, the advantage to the city in a commercial way, and in many other ways, is vastly greater than any principle involved regarding the perpetuity of franchises.

By Chairman Van Benschoten:

Q. Mr. Prendergast, as they say, there is a good deal of water gone over the dam since you reported this on the 1916 plan? A. Oh, yes — some other things went over the dam too.

Q. Are you still of the same opinion as to the advisability of the adoption of that plan? A. Why, Mr. Chairman, sometimes a man likes to be asked a certain question. I am glad you asked me that. In view of the present situation, this invitation to law suits, which is now being widely distributed, the almost certainty that on this present basis, no settlement of this question is possible.

Q. You mean under the Ottinger bill? A. Yes; under the Ottinger bill, with all due respect to my dear friend, Senator Ottinger, at all; but in the present circumstances with nothing

more advantageous to the city than law suits and interviews by public officials regarding inalienable rights, and how strongly they are going to stand for them, they will never let a railroad get away with the city, never, and all that wishwash, which does not mean anything in a public sense, and means nothing for the upgrowth of the city, I am certain that it would be much better for the city to have adopted that plan last year and been done with it—it would be vastly better for the city. There was an investment of \$100,000,000 there, and now we are going to waste time interminably talking over whether some little spur should bring in a revenue of \$18.50 a month. You will excuse my decidedly materialistic views, Professor.

By Chairman Van Benschoten:

Q. I assume, Mr. Prendergast, in connection with your investigation of these questions and also of your very voluminous duties as Comptroller of the city, you have had occasion to consider the questions relating to our waterfront and piers, and so forth? A. Somewhat, yes, sir.

Q. Just let us have your idea as to the principle which should govern as to the city's control of this waterfront, piers, bulkheads, and so forth. A. Well, I think I can point to the experience of the old city of New York, which controlled its waterfront, and held it and rented it, and then contrast with that the experience of the city of Brooklyn, the old city of Brooklyn, which did not hold its waterfront—which sold it, and I can see that there was a very great advantage in the city controlling that waterfront, very great indeed, tremendous advantage, and if you will just look over the history of the two cities, you will see just what it means now, where the city does control its waterfront. The control of the waterfront is, of course, a tremendous question; in fact, I think in some ways it is the most important question before the city. It is one of the most important municipal problems that we have got, and I am in favor of the control of that waterfront. I think it is better that the waterfront of the city of New York has not been alienated entirely, but I do not see an entire analogy between that, if that is what my good friend, the Chairman, is trying to enforce, in the operation of this railroad.

Q. No. I was not tying it up to this particular question; it is the general proposition of the control of the waterfront. A. Yes; and I say about that, from practical experience, the holdings, the control of the waterfront has proved a splendid thing for New York city, at the present time in that old New York did control this waterfront, and Brooklyn did not.

Q. Now, is there not a question with regard to the city selling certain piers to the railroad, that came up in connection with this 1916 plan? A. Yes.

Q. Briefly, what was that question, and how was it disposed of? A. Why, we agreed to sell them a pier at 60th street.

Q. That was thought advisable, despite the general principle that the city could keep control? A. Yes, because they controlled practically all of the property around there. It was simply rounding out that particular property, and by the way, that was a concession, it was part of the bargain.

Q. It was one of the city's gifts? A. The city was getting something for it.

Q. Give and take, of course? A. Yes, sir.

Q. Now, with regard to the question of Riverside park, I live up there and I enjoy it; can you tell us the procedure or the steps which were taken and the purpose of the filling in, that we have seen going on outside the railroad lines there? A. Well, I will take some water before I tell you about that. You will find that question covered quite fully in report dated December 27, 1910, entitled "Joint Report of Proposed Reclamation of Land between 81st street and 129th street, North river", made by Dock Commissioner Tompkins, and Park Commissioner Stover, and it was a plan of these gentlemen, and in 1913, I think it was, a bill was introduced by Senator Pollock, 1911, or 1913, I am not quite certain which — I guess it was 1913, which would have legalized some of the procedure that was to be gone through. I am not very familiar with it at all, in fact, I might say I am almost unfamiliar with it. Now, I think if you will read that report and read the other reports from Commissioner Tompkins, you will find that he always had certain ideas about the public uses to which the waterfront along Riverside park would ultimately be put to, and I think those were utility purposes too, commercial

purposes, and it was in line with that idea, that this report was prepared, and that the filling in has been going on. Now, it was something that our Committee never considered, had nothing to do with; it was a park department plan, a plan of the park department, during the administration of Mayor Gaynor, and I presume that the filling in has been continued during this administration, but whether it has or not, I am not sure. I do not know, and I would not want to say that it had, because I am not sure.

By Commissioner Stoddard:

Q. You mean the park department plan for utility purposes?

A. Yes, sir. Mr. Stover was committed to it, but I think Mr. Tomkins' idea was the real dominating one.

Q. What I have in mind was, the park department was engaged in approving a plan for filling in there? A. Yes, sir.

Q. And filling in the land, to be used for commercial purposes?

A. I am pretty sure that Mr. Stover must have understood that at the time, because the report I do not think is open to any other construction. Now, the report, or rather, our plan of 1916, does not contemplate any such idea at all. It contemplated one thing only, and that was that ultimately the park was to be continued out to the water's edge, as far out as land went, and there would never be anything but park — that there would always be park.

Q. Under this administration, who was in charge of that filling; the park department still? A. I am not sure that any filling has been done during this administration. If it has been done, it has been done by the park department.

Q. And with the same purpose? A. No, I think they simply continued the job that had been commenced.

By Chairman Van Benschoten:

Q. Mr. Prendergast, right in that immediate vicinity, referring to the Manhattanville yard, did your committee feel that this 1916 plan took care of that situation as best it could, under the circumstances? A. Yes, sir.

Q. They felt it could not be improved in any way? A. Mr. Chairman, you will never get me to commit myself to the proposition that anything cannot be improved.

Q. But it was the best that could be secured? A. The one that

seemed most feasible, and best at that time, yes, and as far as I can tell, up to that time, yes.

Q. Was the proposition of using the space between Broadway and Riverside Drive, considered by the committee? A. Yes, sir.

Q. And was objection made to that? A. Yes, sir.

Q. What were the grounds, if you can recall them. A. One of the principal grounds I recall was that it did not make a good operating plant for the railroad.

Q. The objection was on the part of the railroad? A. Largely; almost entirely, yes.

Q. And it was their intention to unload freight at that point, on to lighters or vessels, and they wanted to be near the water's edge? A. They ought to be near the water, and the principal proponents of the larger Manhattanville yard at the location we planned it, were the members of the Harlem Chamber of Commerce, the business men, and they were the ones who urged it most strongly and fought for it, I might say, and on that particular point we felt that we had the support of the business community of that neighborhood.

Q. Was the question of lowering tracks through Riverside drive, ever considered in detail? A. Never very much by us, no, sir. I do not want to answer for what Mr. Mitchel may have done in preparing the 1913 plan, but I know in this plan it was not.

Q. If I may, without any intention of criticising you, but for my own information, merely, why was not consideration given to that? A. Well, I won't say it was never considered at all.

Q. Was it considered? A. It was considered to the point of making it a plank in the bargain—no; well, I think principally—from an engineering point of view we were advised it would not be so serviceable and I believe very, very expensive. I talked about that matter a good many times with Mr. Sullivan. I have talked about that privately when he has come to me, and we have been together, and I have discussed that question with him, because it is something that has been urged upon us a good deal, and I felt I would like to satisfy myself whether it was something we ought to do, and of course, we took it up—we talked it all over with the railroad company time and time again, and

even last winter, when objections were made to this general plan, I and Mr. Sullivan took it up again, and I asked the railroad company for an estimate of what it figured it would cost to do the work on a depressed track. We have not ignored it by any means, Mr. Chairman; in fact, quite contrary; but it was believed that it was not as practical a plan and it would be very much more expensive.

Q. One more question that I have a note of here: You referred to the fact that you opposed the Act 777 of the Laws of 1911, when it was first presented to the Legislature? A. Yes.

Q. Because you thought it did not give power enough to the city, but later you changed your mind? A. Yes, sir.

Q. In what way did you change your mind as to the effectiveness of that Act? A. I changed my mind because the more I realized, the more I got into this problem that it was a question of bargaining and not the imposition of terms.

Q. And it is your opinion, then, that any act which governs the action of anybody which may endeavor to solve this problem should leave them with a fairly free hand to work? A. Exactly; yes.

By Commissioner Rounds:

Q. You feel there is no other way of approaching the problem except by the bargaining plan, then? A. I think it is the best way.

Q. Would you feel there was not any other effective way — none as effective? A. None as effective, no.

Q. Why do you feel thus; you mean the powers of compulsion are so small? A. Yes; figuratively small, yes.

Q. And that is based on a feeling that the police powers of the Legislature are small? A. No; I have very great respect for the amplitude of the police powers of the Legislature, but I question whether the Legislature will ever — no, I am not going to say that, either, but I question whether the Legislature ought to exercise its police powers to the full extent in any proposition where there are so many diverse interests to be studied as here, because the work of the railroad — the work the railroad is supposed to do is not merely the carrying of freight through and unloading it; it means more than that. It means that this freight is of immense interest and concern to the people of the city; it means that the

better facility with which that freight can be brought in and carried out, it means a great deal to the business interests of the city, to its merchants, in the transaction of their business. It means a great deal to the city if the railroad, for instance, or people who would be induced to invest their moneys in warehouses alongside of an improved railroad will do so, and build up new businesses for this city. It means a great deal; if the presence of better — or the existence of better railroad facilities and warehouse facilities are there, it will induce the manufacturers to locate their manufactories particularly on the lower west side, which, as a residential section and as a business section, you will agree with me, seems to have gone to sea. It means a great deal to the city that those things will be done. It means not only increased taxable values, it means a better form of construction of buildings throughout that neighborhood, less danger of the fire hazard. It means that more people will have a chance to work there. It means more money in circulation; it means that the banking returns will be larger here. It means all those things, but these are very few of the things it means.

Q. And would not all those considerations lead us to think that it is the case where the police powers of the Legislature should be exercised to the full, not in the direction of terminating or diminishing the facilities of the road, but of compelling the road, if the road proved unwilling — of compelling the road to increase those facilities in an adequate way, reasonably in proportion to its capital, and reasonable for the future operation of the road, and to the interest of the city? A. I would not say that at all.

Q. Did you feel that those police powers were simply for compelling the road to furnish facilities? I ask that, because if I get your idea, the whole 1916 plan was a bargaining plan, was it not, because you felt that it was the most effective plan? A. Yes, sir.

Q. And my question is, would not some plan based on the exercise of the State's police powers to the full, along the line of compelling increases of the facilities, be possibly and very likely an effective plan? A. I suppose you compel what you think are going to be increases of facilities, and at the same time bring about a condition that prevents the railroad from increasing those

facilities, from affording the greatest measure of advantage to the city; for instance, let me give you a practical example. Suppose it were possible to say, "You have got to go down in the subway here at a certain station," and the exercise of police power will compel them to do it, but the cost of doing it will be such that a great lot of capital will be sunk in that depression in that subway.

Q. That would not be wise compulsion, would it; why not exercise wise compulsion? A. No; that is exactly what I want to say. It would not be wise compulsion. I do not think that would be good business from any point of view. I think that would be poor business.

Q. Then, with your body that was doing the bargaining, and was doing it wisely, could not that same body, if they had had all the powers of the State in the way of compelling, under the police power, not simply the sinking into a subway, or going into an elevation, but compelling the creation of proper terminals and freight yards, and so forth, would not your body have been able to exercise wise compulsion to that end? A. Well, now let me see. In other words, that you are in a position to make a railroad do anything?

Q. Then you are in a great deal better position for bargaining, or if the bargaining fails, then you are in a better position to get a remedy? A. But there must be some point where people have rights, and where you cannot impose a police power to the disadvantage of the citizen. You agree with that, do you not?

Q. Of the railroad, you mean? A. Yes — no; I am treating the railroad as a citizen.

Q. That is right. A. For this reason it works for citizens.

Q. Surely. A. Every one of them; and, by the way, its investments are held by citizens.

Q. Did your Board consider the limits of that constructive police power in the Legislature, before you committed yourself to the policy of mere bargaining? A. No, I cannot say that we did; no.

Q. Don't you think that it should be considered? That is, I do not know in my own mind what the limits are, but if the limits are broad, legally broad, would not your body have been in a great deal better position to bargain, if you had at least tried to secure

legislation enabling you to exercise or offer to exercise that compulsory power, and thus help your bargaining? A. There were bills introduced in 1915 and 1916, both comprising certain compulsory features, and I must say that from such study as some of us gave them at that time, that we found the city would get along better by making an arrangement with the railroads under the Law of 1911, unamended, and I do want to say I do not think the mayor felt that way about it.

Q. But did you think the Board, or rather the committee, felt, or reached that conclusion, that it would be better merely to bargain, because it doubted the effective police powers of compulsion? A. No, I would not say that. I do not say that we doubted the effectiveness of the police powers of compulsion, but I think one reason was this, that we felt where compulsory powers are invoked, if they were invoked, that they undoubtedly would lead to possible litigation, long delays, and more difficult bargaining, and that a better arrangement could be made without them.

Q. That is, feeling that if the bargaining power, that is, if the public board which does the bargaining has in itself command of the powers of compulsion that the Legislature has, even though it does not make any effort to exercise those unreasonably, nevertheless, it cannot bargain with so good an effect. A. Now, the minute that compulsory power is put in the hands of the Board of Estimate and Apportionment, there will be a demand upon a part, a certain part of the public, which is very vocal, pardon me — that that compulsory power shall be exercised right to the very limit in public officials, some of them, instead of being free agents and exercising their judgments as to how far that compulsory power should be invoked, they will fall in with this vocal demand. and you do not get anything done.

Q. Do you perhaps mean that it would be better that your body should act in bargaining without owning the compulsory powers, but to use the bargaining to its full extent, the idea that if the railroad is not reasonable, why, those compulsory powers will be sought from the State for the purpose of getting a satisfactory solution; would there be anything unwise about that? A. Well, we never made such a threat. I do not think I ever had any such intention.

Q. That gets me to the point — is it or is it not true that in the process of bargaining and in the legislation and proceedings preparatory to that, your Board rather lets out the idea that the State and its public bodies, to whom it might delegate the powers, might be in the position to compel the remedy effectively, and that the consideration of the law, if it be the law, might be of a good deal of help in bargaining; you left out that side of it, did you?

A. We proceeded under the Act of 1911, which provided for a bargain, that is, a very plain interpretation of it, that it is a true one — provided for a bargain; and as we went along with the problem I know I felt that we should come to a much more satisfactory solution of the whole question with the railroad under that law than we could if there were any further compulsory features imposed.

Q. You would still feel, then, that a public body that should grapple with the problem now, should not have compulsory powers granted by the Legislature, to the police powers? A. I think the wisest settlement of the question at this time would be to leave it to somebody that would act in a perfectly high-minded way toward the city and with the city's interest solely for the purpose of making a quick, satisfactory adjustment of this whole question.

Q. By the bargaining method, and without the grant of any police powers from the State? A. I do not think it requires any police powers.

Q. And you think a grant would be unwise? A. I do not think that a grant is advisable for the reason I stated it. The minute you make such a grant, then you are not free. Some of them will not consider themselves free. I am not talking about abstract principles now. I am talking about human experience, when I tell you they are not free. I can draw up a line of exhibits here, if necessary.

Q. Did you feel that the 1916 plan provided as well for the coming in of the New Jersey roads later as any bargaining plan could provide? A. Fine; splendidly; the 1916 plan was designed and I am sure that it fulfilled the idea that at any time the railroads — the western railroads — wanted to come in here and would make an arrangement with the city under which they could come in, if we were ready to provide them with the facilities.

Q. And the fact that they really did not show any interest then, was in determining the plan, because you recognized they might change their minds later? A. Absolutely, and we made ready for this bridegroom whenever he wanted to come.

By Commissioner Todd:

Q. Did you consider that if your 1916 plan should go through, that it would be an inducement to bring the western roads into New York? A. Very much.

Q. Was there ever any attempt made as to obtaining the value of the present rights of the Central in New York city? A. There was a very hurried, I would say, sketchy estimate made, yes.

Q. Do you recall the approximate amount? A. Yes.

Q. How much? A. Twenty-five millions of dollars, I think and deducting their present holdings, net of about twelve millions of dollars. Mr. Hervey has a report which I gave him bearing on that subject.

Q. Are those values as to their real estate holdings, or as to — A. Franchise rights.

Q. Franchise rights? A. Yes, the value of their rights. I gave that report to Commissioner Hervey. I would be very glad to have you look it over, as I say, it is a very sketchy thing. It was not a deep study at all.

Q. Who was that made by? A. Mr. Nichols, principally, and Mr. Brough, of the deputy comptroller's office.

By Chairman Van Benschoten:

Q. What did you mean by deducting their present holdings? A. The rights they have at the present time. This was made upon the basis of what their rights would be, if this plan went through.

Commissioner Rounds.— I see.

By Chairman Van Benschoten:

Q. And that related solely to the west side? A. Nothing to do with the Central, anything.

By Commissioner Todd:

Q. I wish you would furnish us with a copy of that. A. I would be very glad to. I do not know if I have a copy left.

By Chairman Van Benschoten:

Q. We can secure that from Mr. Hervey? A. Mr. Hervey will give it to you. I gave it to him with the other papers in this case.

By Commissioner Rounds:

Q. Did that include the real estate titles or the rights? A. No; no rights, the value of their franchise. This job was done very hurriedly. Personally, I pay little heed to it, because it was done so hurriedly. Some of the members felt that they ought to have this information, and this was in the latter part of 1915, and these gentlemen were asked to prepare it. The whole thing was prepared inside of the week. More than that I do not think I need say.

Q. What are the advantages, to your mind, of the city controlling the waterfront, just in a word, for the sake of the record, of the city controlling the docks property and the waterfront. You pointed out that the city has derived advantages as compared with Brooklyn from that control? A. Well, I think, of course, in the first place the city is in a position to carry that business for itself if it wants to, if it controls the property.

Q. But control does not develop? A. But control does not develop, entirely. It is in a position where, of course, a long lease or leases when they expire, leave it free to do with that property whatever they like, to exact a higher rental for that, or to make other disposition of it, just as it sees fit.

By Commissioner Beard:

Q. Does not the same principle apply to the ownership of land, along the tracks of the present New York Central; how do we know about the future of that any more than this? A. We can only judge of that according to what experience has been, and what we think the experience will be in the future, and I do not regard the land alongside of this railroad, the land over which it runs, as being in the same class of waterfront with what you call absolutely waterfront property.

Q. But other cities are building belt railways, trying to connect their railroads? A. Some of them are. How successful they are going to be is a matter of question.

Q. We are in the midst of that — New Orleans? A. New Orleans and Cleveland and San Francisco, and so on — oh, yes.

By Commissioner Rounds:

Q. In case the 1916 plan has been adopted and consummated, do you conceive that the rights of the railroad under that plan would be subject to the power of the Legislature to modify and relocate, and to compel additional facilities and so forth, to a substantial degree? A. Why, now, of course, you are asking me a legal question, and I will just give you my impression of it, as a member of the committee. The adoption of this plan would not impair or increase any power the Legislature holds over it. The Legislature — the legislative rights would still exist, and we are merely acting as the instrument of the Legislature.

Q. Do you concede that this question is chiefly a city or a State question? A. How?

Q. This whole question, is it chiefly a city question or a State question? A. Well, from certain points of view, I think it is an international question — not an international question, but a national question, because this great trunk line railroad, with connections and subsidiaries running all through this country, it brings here the freight of all parts of the country. It seems to me very important to every other station of the country that the terminal facilities of the New York Central railroad should be of the best within New York city, which is the greatest distributing center in the country, and the greatest receiving center in the country.

Q. But as between the city and the State, leaving out the Nation for a moment, would it be chiefly a city question or a State question? A. No; I do not think that any question over which the Legislature has primary control, can ever be regarded strictly as a city question, but of course, the power of the Legislature in this matter has never been questioned or doubted.

Q. I did not mean that. A. No.

Q. I meant whether it was chiefly interesting to the citizens of New York City or to the citizens of the State, as a whole. A. I think the intimate interest is all to the citizens of New York City. I do not think the citizens of the State care very much about it.

Q. Why did the 1916 plan start?

Commissioner Ainsworth.— You are all wrong.

Chairman Van Benschoten.— He comes from Albany.

The Witness — I know some of the citizens of the State think it is very interesting.

By Commissioner Ainsworth:

Q. There is not a farmer in the world but that ships produce here, and the value of his produce is determined, to a large extent, by the shipping cost. A. What does he care about it?

Q. He cares enough about it so much that every farmer in the upper part of the State is watching it with as much interest as you are in the city. A. I never noticed any deeper interest outside, Mr. Ainsworth. I have never received a communication from a farmers' organization.

Q. I presume it is quite likely that they know it now? A. I never knew them to come to a hearing at Albany on the subject of the Ottinger bill. Not very loud, though, not very much, what side did they take?

Q. They are standing all the time for the best shipping opportunities that may have been obtained, and they have a Committee on Legislature watching that question entirely at Albany. I do not know whether it is particularly determined whether it is an underground or an elevated, or whether it is one kind or another, except that this real terminal is the terminal of the New York State Railroad that does run from almost every farm in the State, and canals are reached by it, and whether they distinctly realize it is an important point, even though they do not, it still remains a vital question to them. A. I said, I think — I did not think they took much interest in it, and I am sorry, but I cannot change my opinion, because I say again I have never known them to take any interest in the subject, so far as we are concerned. When hearings have taken place upon the Ottinger bill, or the Ellenbogen bill of 1916, or the Legislature of 1915, I have never heard of the up-State organizations interesting themselves in that legislation one way or the other. It may be that they watched it. It may be that they are perfectly willing that the rival forces of the city will fight it out and kill each other. I think that would be very satisfactory to the up-State people. (Laughter.)

Q. I guess it would. A. But that they have ever taken any interest in this subject outside of the city, that they feel it is of importance to them as far as the handling of their produce is concerned, and I have never been able to discover. I think they ought to be interested. You speak about whether a subway or elevated is of interest to them. Of course, you do not know. It may appeal to them. It ought to appeal to them. For instance, the question of a subway below 30th street — most of the merchants think it is not the right solution. Why not? Because they say that freight could not be handled there with the expedition and the care and the facilities with which it can be handled from the elevated railroad; but now if that is so, it ought to mean a great deal to the up-State people, because if an agency is going to be established here; it is not as serviceable as it ought to be. It seems to me that strikes right at their interests and they ought to know about it. I hope they will take a little more interest in it.

By Commissioner Rounds:

Q. May I ask one question, and then I am finished. Why did the 1916 plan stop at Canal street, rather than to go down to St. John's park or Chambers street, as apparently the railroad wanted to go, according to its plan of 1911, some time? A. Well, we thought it just as well to have them stop at Canal street. In the first place, St. John's park is an antiquated place anyway, and we did not want to cross Canal street if we did not have to. Canal street is a very wide artery. It is a fine street, and furthermore, we wanted to stop there because, if at any time it was desired to have a crossing of a municipal railroad, a municipally constructed marginal railroad on West street, and a crossing there, we wanted to keep that street free. There are other reasons, but those are just ample.

Q. Would not you have to cross the elevated road there? A. Surely.

By Commissioner Beard:

Q. You said you were primarily interested in this as a freight distribution proposition; is it not true that only about 25 or 30 per cent of the freight is brought in by the New York Central? A. How?

Q. That only about 25 or 30 per cent of the freight is brought in by the New York Central? A. The exact figure I do not know, but if you have looked it up, I will take your figures.

Q. Only about one-quarter? A. Yes.

Q. That being true, does it not follow that some plan for drawing in the other railroads is a vital matter, if you want to solve the freight problem? A. If we really wanted to solve the freight problem and provide for the cheapest and speediest handling of freight in New York City, we would have to secure the co-operation of these other roads, because they bring in three-quarters, that follows, does it not? A. Yes.

Q. You said some time that from an ideal point of view, some co-operative terminal system was probably desirable, then I take it, that in your support of the 1916 plan, you simply ruled that out as simply an ideal that was impossible? A. No, it was not feasible. We could not get any co-operation.

Q. You could not get any co-operation from the railroad? A. And no desire upon their part to co-operate with us.

By Chairman Van Benschoten:

Q. Mr. Prendergast, I understand the plan was that the New York Central was to have these two tracks below 30th street, or from 60th street to 39th street, was it not, and that they were to be so constructed, that additional tracks to the west could be built by the city for the use of other roads. Was that limited to being built by the City? A. No — the city controlled the railroad. I am pretty sure that was the language. There was no limitation, as far as I know, upon that. The city would build it. Does your question mean that the city wants to build it, or other roads want to come in, can they build it?

Q. That is it. A. Anything the city wanted to do or permit.

Q. There was no arrangement by which any of that traffic would be interchanged between the New York Central and these other tracks — the New York Central would operate its tracks alone, and the other roads would operate their particular tracks alone? A. No; the New York Central railroad would be willing to make arrangements with them.

Q. Did they express themselves to be willing? A. Always,

Q. I do not want to call it to your attention, except that I want

to be very accurate in these things, but I find this statement, which I was leading up to, on page 19 of your report. You made a report on the 1916 plan, where it says "While unwilling in connection with this agreement." A. The page, Mr. Chairman?

Q. Page 19, about the middle of the page: "While unwilling in connection with this agreement to definitely arrange for the handling of the foreign traffic over the tracks between 59th street and 30th street, the officials of the railroad company stated to your Committee that in all probability it would be possible to arrange in the future for the handling of such business at the capacity of the track." A. That is exactly what I had in mind, Commissioner.

Q. Did they state why they were not ready to make such an arrangement so that the city could be assured before the contracts were signed? A. They probably did, but I do not recall what they said. I imagine they probably did. I never knew a question to be asked of Mr. Place, that he did not have an answer to give to it.

Q. Is it your opinion that the arrangement — your plan ought to be that if at this time we will say the Central was to construct certain tracks to be used by it, and that later, additional tracks were to be constructed to be used by other roads, that the arrangement or plan ought to be for a joint operation of all of those tracks by all of the roads using them upon proper compensation being made to the New York Central. A. Well, now, let me see —

Q. For the expense to which it went in building its tracks. A. That principle of compensation I think, of use under just compensation, the Central has always recognized.

Q. You mean that they are favorable to it? A. Exactly. They have always said that, but of course this must be borne in mind too — I do not know how far you can get the railroad to absolutely consent in advance to the use of tracks. That use might be such as to crowd out some of their business.

Q. No; they being assured of equal advantages. A. Exactly.

Q. You think, do you not, that an arrangement which provides for a joint and general operation of all the tracks, if the additional ones are built, it is much preferable to having the New York

Central use its own two tracks, and the other roads use its two tracks separately. A. My idea is this: If a plan can never be devised under whichever railroads are going to come in, that business facility will practically force a general use of those facilities, just, as for instance, of course I will admit that my comparison is a very strong one — just as present conditions in the country are bringing about a pooling of all kinds of interests upon the part of the railroads, to use the same terminals, and the use of the same equipment.

Q. Do you think — if I may ask one more question — do you think that with the conditions that have changed in the last say six months, make possible a plan which was not perhaps possible a year or two years ago in that one particular? A. It may be, yes, I think there is more likelihood of that, I hope it is. I hope such a change has developed.

By Commissioner Beard:

Q. Right at that point, Mr. Prendergast, you mentioned about the pooling of freight under the present crises. It is true that the competition among the railroads has been abolished as to rates, practically abolished.

There is no competition as to rates. The competition now is largely for terminals. That being true, when once a company has secured perpetual rights in fee, in any particular place, and it has opportunities to make money, dependent upon its possession of special privileges, and special facilities, it is not likely to surrender them unless there is some provision in advance, or unless strong compulsion is brought to bear. A. You can never tell what people will do under the impact of business necessity.

Q. Under bargaining? A. Yes, under bargaining. You can never tell what they will do under bargaining. Very often they won't do so, if you say you are going to make them, and they tell you so, that is, until you prove your right to make them.

Q. If you, as representing the city, had powers not only to solve the New York Central problem, but to increase our freight handling facilities here, you would have, as I gathered from your remarks, planned some co-operative scheme for bringing all the railroads in? A. That is what we started out to do nearly seven years ago.

Q. That was the ideal? A. What we started out to do seven years ago.

Q. And if it can be done, you believe it should be done? A. Absolutely.

By the Chairman:

Q. Mr. Prendergast, there is just one other question. I was interested in seeing your statement as to the borrowing of the city, which appeared publicly this morning, and as that more or less relates to the questions which we are looking into from the standpoint of the city's owning the terminal, are you able to give us a statement as to the present borrowing powers of the city?

A. You have got it in those figures, surely. There is a copy of my letter to Mr. Hylan that gives you all the facts, so far as we can determine at this time. I would like to have that marked in evidence. I would like to send you a little better copy. This is only a galley proof. May I send a regular bound copy?

The Chairman.— Yes.

By Commissioner Rounds:

Q. Don't you think that any contract that is made with the railroad along the line of the 1916 plan should contain some definite agreement or provision on the part of the railroad, that in case the other roads come in and in case those other two tracks from 30th to 60th street are used, that the railroad shall consent on stated terms, to crossings and so forth? A. It has done so.

Q. Absolutely? A. They are in the memorandum to Governor Whitman; you will find that.

Q. That is, they did say, after the contract was drafted? A. After the contract was drafted — and that is why I said I hope you will put that communication to Governor Whitman in your record, because it is really a part of this form of contract. They agreed to that in toto.

Q. And one or two other questions? A. Crossings over or under.

Q. Apart from the question of the adjustable 25-year provision in the plan recommended by the Joint Committee of 1917, what do you think of their recommended plan; you have expressed your opinion on the adjustable term, but the other parts of the

plan, are they good or bad, and if so, what — or is that too long a question? A. Now, Mr. Rounds, it is not too long, and I can answer it briefly. I will ask to be excused from passing any comment upon the suggestions, gentlemen of the Conference Committee, because, as I said before, it is very near the Christmas season, and I am very sure if I went into any discussion of it, I would violate the beautiful spirit of this time.

By the Chairman:

Q. One more question right in that connection: Do you think that the power of the court, or of any official body directing a change of grade on the part of the New York Central, solves the problems that are to be solved in connection with this question?

A. Not at all, only in very small part.

By Commissioner Stoddard:

Q. Does it help to solve the problem? A. It might some, yes.

By Commissioner Todd:

Q. Would not such a piecemeal solution of the problem be in your opinion, worse than not at all? A. Surely.

The Chairman.— If there are not any other questions —

By Commissioner Stoddard:

Q. May I ask, Mr. Chairman, Mr. Comptroller, despite the nearness of the Christmas time, don't you think we could persuade you to make some comment on that joint conference committee plan? A. Not to-night.

Commissioner Rounds.— We have to report on the —

The Witness.— If you really want me to do it, and you know how obliging I am, Mr. Stoddard —

Q. Absolutely. A. I do not want to do it at all, because I hoped this was the last job I would have for a few days, but if you really want me to do it, I will prepare you a memorandum on that.

By Chairman Van Benschoten:

Q. Which can be submitted? A. Yes.

Chairman Van Benschoten.— Is that satisfactory, Mr. Rounds?

Commissioner Rounds.— Yes.

The Witness. — It may have to undergo the censor's pen.

By Mr. Stoddard:

Q. One question more, Mr. Comptroller. You stated, I think, that some committee had valued the franchise rights of the New York Central in this city at \$25,000,000.

The Chairman.— On the West Side.

Commissioner Stoddard.— That is, on the West Side, that is, along this line. Now, those franchise rights are based on the 1847 or 1846 right granted by the common council at that time?

The Witness.— By the Legislature.

By Commissioner Stoddard:

Q. By the Legislature. A. Only as to right-of-way.

Q. Well, as to the right of way.

The Chairman.— Pardon me a moment. I think your statement was that if this went through —

The Witness.— Yes, of course.

The Chairman. — That is what I thought.

Q. What I wanted to get at was this: Why the City of New York, if the franchise rights are of any value, it becomes of value, because the city has increased in population and business activity and so forth — why it would not have been wiser in 1846, for the city not to have alienated its property, and therefore, if whatever value there is in these rights — whether that would not be the wiser policy? A. We get right back, Mr. Stoddard, to what I said before, these ideas that we entertain regarding what the city should do, or a state should do at a given period — change. Now, at that time, I have not any doubt that the Legislature of the State and the people of this city were delighted at the prospect of getting a railroad to build a line down through New York city. I have not the slightest doubt they were delighted to have them do it.

Q. It may be very true. A. They wanted the railroad as much as the railroad wanted them. In fact, they probably wanted the railroad more than the railroad wanted them, and I presume that

according to the financial and economic thought of that time, unless people did have such a right as was conferred upon this railroad by the Legislature, making them induce people to invest their money —

By Commissioner Beard:

Q. That was a right for fifty years under the Act? A. Well, but the Legislature feeling this — yes, you are right — feeling this, that its powers increased —

Commissioner Beard.— That is a matter of historical opinion.

By Commissioner Stoddard:

Q. The railroad men were not encroaching upon business property or property that had any great value. To-day the railroad would be encroaching upon such property, and the experience, reaching further back that the experience you referred to, of eight years in the Comptroller's office, which is a large experience — we have had an experience of seventy years, and the development in seventy years, all of which has allowed the community, or many cities, but should be the asset, you might say, of the community, for communities to believe that rights of any kind should not be alienated all time to come, and that a railroad coming into the exercise of that right should have a free exercise of it, but should never be in a position for instance, which the New York Central is to-day, and which some of course say it is — of saying to the community "Why, we have this right. You cannot disturb this line". Now, if that right rested in the city, don't you think it would have been better in its original grant to the railroad company, had the city reserved a right of, I won't say recapture, for I do not want to use that word — but a right to regulate, to do more than bargain when the time came, and to say, "You are not serving the city as adequately as you should. We think you should go further, we were willing to give you these additional facilities, and here they are." A. The power of regulation is there still, Commissioner Stoddard. Yes, the power of regulation is still in the Legislature just as firmly as it was in 1846, when this Act was originally passed. It is in the Legislature. I think that is beyond dispute. Now, how does the Legislature want to exercise its authority? The Legislature will exercise that authority with

this idea: it does not want to do anything even though it might feel it ought to do it, as a punitive measure, that is going to seriously interfere with the commercial well being of a large community of people. That is the way the Legislature reckons; but its regulatory power its still there.

Q. Now, Mr. Comptroller, had the city said to the railroad company or the Legislature said to the railroad company in 1846, "Now, we will allow you this right of way for fifty years, for so much money, and at the end of fifty years we will look the situation over, and as the city has grown and developed, as we think it probably will, and this right has increased in value, we will make another grant to you," and so on for all time, instead of saying to the railroad company, "You shall have these streets set aside for you as now claimed, in perpetuity," don't you think the city would be in better condition, in better shape, to bargain, if that had been the original basis? A. Well, now, let us see —

Q. And if so, would it not be a great deal better for the city to say to the railroad company as to this additional franchise or additional facilities, that it desires, as was said to the elevated company by the Board of Estimate and Apportionment, I think while you were a member of it, that when it needed a third track, that the third track shall not be given to it, as part of its perpetual right, but shall be given to it in such a way that the city has a right to recapture it at a certain ten years' period, I have forgotten the period of time, why, could not that principle have been applied to these new facilities desired by the New York Central railroad? A. Why could not they be applied? That principle could be applied, but it was not.

Now, we want to put ourselves back into the minds of the people in 1846, and say should not they have done differently? Now, maybe they should have done differently. Maybe it would have been better if they had.

Q. But would it not have helped you, as bargaining with the New York Central railroad? A. You say help me? Of course you mean the Committee?

Q. The Committee. A. Would not have helped this Committee. If that had been done, maybe there would not be any such Committee. Maybe there would be no necessity for any such Com-

mittee. You do not know whether the Central Railroad would have induced the people to invest their money, and to have brought them down to the lower part of New York city and said, "Here, we do not know whether such a railroad would have been built at all." The only answer I can make to your question is, that of course if we want to look at the proposition entirely from a theoretical point of view, I presume it would have been better to have started out that way — but we did not start out that way.

By Commissioner Beard:

Q. But, Mr. Prendergast,—it was the courts, no legislative act ever expressly extended the life. The courts have extended the life. A. But, Professor Beard, the courts say that the Act of 1869 did extend the life. Now, the only agency that I know of that interprets the action of the Legislature is the court, and we are bound by what it says.

Q. Sure. A. And it must be presumed that the Legislature did that thing, or the courts would not have said so.

Commissioner Stoddard.—Now, Mr. Comptroller, may I ask you another question: Perhaps it is true it is a theory, of course, probably it is true that no one could have invested in the bonds or stock of the New York Central Railroad Company in 1846, had a perpetual grant not have been given them, but you know that money is being invested constantly in these days, and has been for ten or fifteen years past in grants that are not in perpetuity, and do you think the fact that these additional grants or facilities, if granted to the New York Central railroad, had they been put on the basis of the tendency of the day in many cities regarding corporations, you do not think that would have stopped an investment in those securities? A. I certainly think that the investments would not have been to the same liberal extent that they have been, if you want my opinion on that point. I certainly do not think investments would have been as general as they have been.

By Commissioner Beard:

Q. But the Act of 1846 under which this railroad was built, limited the right to carry goods and passengers for fifty years,

and under that Act the investment was made and the railroad was built. Mr. Prendergast does not say it was perpetuated. A. In 1846 an Act that granted a right to fifty years, I guess was looked upon as in perpetuity, just about.

Q. Well, then, the English language means nothing in law?

A. How?

Q. In law the English language means nothing. A. In the mouths of some lawyers it means nothing, Professor.

By Commissioner Ainsworth:

Q. Do you have to confine that to lawyers? A. Well, we hear them discuss law more frequently than anybody else.

The Chairman.—There being no other questions, I want to take this opportunity of thanking Mr. Prendergast for coming here to-day and giving his views as to the situation, and I will announce that to-morrow afternoon at two o'clock the Committee will be in session, and that Mr. Ira Place, Vice-President of the New York Central, will be here as a witness. We will now adjourn.

(Whereupon, at 5:10 o'clock P. M. an adjournment was taken to to-morrow, Wednesday, December 19, 1917, at 2:00 o'clock P. M.)

THE COMMISSION TO INVESTIGATE WEST SIDE CONDITIONS

LIBRARY, CHAMBER OF COMMERCE, NEW YORK,

DECEMBER 19, 1917.

The Chairman called the meeting to order at 2:00 P. M.

PRESENT:

Van Benschoten, Chairman; Rounds, Beard, Stoddard, Ainsworth, Todd, Miller, Commissioners; Judge Clark, Counsel Niles, Secretary.

Chairman Van Benschoten.—Mr. Place, will you be sworn Please raise your right hand.

Ira A. Place was called as a witness, and having been duly sworn by the Chairman, testified as follows:

By Judge Clark:

Q. Mr. Place, you are the Vice-President of the New York Central & Hudson River Railroad Company? A. I am.

Q. And have been for a number of years? A. Yes.

Q. This Commission, appointed under chapter 720 of the Laws of 1917, has two functions: First, to investigate the progress made in carrying out the provisions of chapter 777 of the Laws of 1911, with an investigation of all the Acts and proceedings and the plans and profiles that have been considered in the matter; and, second, to report to the Legislature, its acts and proceedings and conclusions with recommendations. We, therefore, want before us for our record all of the facts that we can get from every point of view; and it is with that in mind that we have asked you to come and represent the railroad's point of view, and to present the facts as you have seen them in these years when you have been dealing with the subject.

When was the New York Central organized? A. The present company was organized in 1914.

Q. Nineteen hundred and fourteen? A. Yes; that was the last consolidation under which the former New York Central & Hudson River Railroad Company, the Lake Shore & Michigan Southern Railway Company were consolidated, and some other companies; and also at or about the same time various other companies which had theretofore been leased, some to the New York Central & Hudson River, and some to the Lake Shore & Michigan Southern, were merged, rather than consolidated.

Q. The original Hudson River Railroad was chartered under chapter 216 of the Laws of 1846, was it not? A. Yes.

Q. And will you please give a brief history of the reorganization down to the present time, so that we may have its successive steps. A. If the Commission please, I have had prepared, a map which I have had hung up here (indicating). I think all the Commissioners can see it.

I thought it might be useful in just getting your eyes on the subject matter of this controversy all at once.

This shows on this map, which for the purpose of the record I will say is a " Map of the Boroughs of Manhattan and the Bronx, City of New York, published by E. Belcher Hyde, 97 Liberty Street, Brooklyn, in 1905 "; and on that map we have plotted all of the land owned or leased by the New York Central Railroad Company in this territory, and if the Commission will note the particular portion of the road here under consideration came down along from the north — and this is a part of the Hudson River Railroad Company about which I am now speaking. It is the southern part of the railroad, constructed by the Hudson River Railroad Company under the Act of chapter 216 of the Laws of 1846, and completed about 1851; and it comes down from the north along the shore of the Hudson river until it reaches Spuyten Duyvil creek, and there it crosses the creek and comes still down along or near the shore of the Hudson river on Manhattan Island, until it gets to about 61st street, where the main line diverges into Eleventh avenue and follows Eleventh avenue on the surface until it gets to the streets between 30th and 33d, and there it diverges easterly into Tenth avenue, and thence down Tenth avenue, still along the surface, until it reaches West street, and then down West street to Canal street, and along Canal to Hudson, and down Hudson to what is now St. John's park, which is the southerly freight terminal.

Now you will note that at Spuyten Duyvil the road now diverges and goes along north of what was Spuyten Duyvil creek, and down the Harlem river, Spuyten Duyvil and Harlem river was divided by what is known as the Kingsbridge road. It goes down along there until it reaches the connection of the New York & Harlem River railroad.

From that point it goes southerly across the Harlem river and down Park avenue to the Grand Central Terminal at 42d street. The first line to the east shown here (indicating), is what was formerly the New York & Putnam road; and all of these lines of the New York Central are shown by the heavy black line. The next is the New York & Harlem Railroad Company. So, the first thing to notice at this point, Spuyten Duyvil, is that the traffic of the road is divided between that for transporting passengers largely, and that for transporting freight. Of course, some

freight is moved around this line as far as the connection at 140th street, and it exchanges there with the Harlem, and there is also freight exchanged with the Putnam, but the main freight goes down this line (indicating) which is under discussion.

You will note there are really three freight stations shown on that line, one at 60th street, one at 33d street, one at St. John's park: And there are two others, one at Manhattanville, and another at Dyckman street, called Inwood.

Right opposite the 60th street yard, you will notice a large black territory. That is Weehawken, and the line running almost directly west is the main line of the West Shore, which goes through a tunnel just west of the yard.

The track running northerly from the Weehawken Terminal is what we call the railroad of the New Jersey Shore Line, and at the northerly end that connects with the road built by the Erie railroad, and it goes to the terminal of the New York, Susquehanna and Western, which is a part of their system.

The Central built to this line (indicating), and the Erie on beyond.

South of the Weehawken terminal the track which is shown there, which goes down from Hoboken and into Jersey City, connects with the Pennsylvania and various other roads at Jersey City.

That shows the physical situation, and I have shown also on this map in red lines, all of the rapid transit lines, both those which are actually constructed and those now being constructed, and those which are now being operated.

I have also indicated by yellow line, the elevated lines, simply to show the way in which this territory is being cared for now for rapid transit purposes.

Now, going back to the question asked by counsel, I will answer as briefly as I can.

Q. Before you leave that map, will you file it with us as part of our record. A. You may. I will put it in as an exhibit, if you like it.

Going back to the question asked of me by counsel: The history of these corporate consolidations I will state as briefly as I can. The first company, the oldest company, which is part of our

system now, is the New York & Harlem. That is organized under Special Charter of 1832. The next one is this Hudson River Railroad Company which was organized under the Charter of 1846. At various times, most of them at least prior to 1846, some half dozen, more or less, railroad corporations had been chartered by the State, also under special charters, under which railroads were built between Albany and Buffalo. I will not attempt to name all of those, but there were some six or eight.

Q. What we want is the corporate history of the corporations which have controlled this railroad on the west side of New York.

A. Those roads between Albany and Buffalo were consolidated about 1853; I think the consolidation was in 1853, under the Act of 1853. Then in 1869, under a general statute authorizing the consolidation of roads having continuous lines, the then New York Central Railroad Company was consolidated with this Hudson River road, and became the New York Central and Hudson River Railroad Company.

In the meantime, the Harlem road had been leased to the Central for a long term of years, and also, soon after 1869, the date of the consolidation, the Spuyten Duyvil and Port Morris Railroad Company was authorized, which built this connecting line from the Hudson river line down to here at the Harlem (indicating). That was done so as to have the main passenger station at 42d street and Park avenue. After the consolidation of 1869, certain other companies which were leased, were merged or consolidated in about 1913. That was all a part of the process of the general consolidation; and the physical consolidation under which the present New York Central railroad came into existence was in 1914.

Q. Did the 1913 consolidation include the corporation which then controlled the tracks of the West Side of New York?

A. Oh, yes, it included the line from New York to Buffalo and Niagara Falls.

I think those are the answers to your question, Judge.

Q. So that the present corporation, organized in 1914, is the New York Central Railroad Company? A. Yes; and that owns the road in what we call the New York Central System from New York to Chicago, and it owns what was formerly the Rome, Watertown & Ogdensburg, the Malone & Putnam, and practically

all the lines east of Buffalo except the Boston & Albany and the West Shore; and it also owns many of the roads under lease to the Lake Shore east of that point. I shall refer to it later. I will say in addition to these roads, which are all under one corporate organization, known as the New York Central Railroad Company, there are various other roads west of Buffalo, namely the Michigan Central, the Columbus, Cincinnati, Chicago & St. Louis, the Pittsburg & Lake Erie and some others, a majority of the stock of all of which is owned by the New York Central, and which are regarded as part of the same system. Those are shown on this map which we call our System Map, and I shall refer to it later.

These terminals (indicating) constitute the most important easterly terminal of something like over twelve thousand miles of road. I would like to have those maps marked, in evidence.

(The two maps referred to were marked "Commission's Exhibit No. 14" and "Commission's Exhibit No. 15," of this date).

By Commissioner Rounds:

Q. Am I right in thinking that the present New York Central Railroad Company does not own any physical properties outside of the State of New York? A. No, you are not right. It owns, or has under lease such property.

Q. I mean owns. A. Oh, yes; it owns this main line to Chicago. This present corporation is a corporation under the Laws of New York, Pennsylvania, Ohio, Indiana and Illinois. There is another large railroad around Chicago, the C. I. & S., which was also consolidated.

This black line here on the System Map, your Exhibit No. 15. The key on the map shows no-ownership as distinguished from leasehold and it indicates by different colorings, the owning railroad company in each case. The dark blue indicates the New York Central Railroad Company, and it also indicates the Harlem, for instance, and the West Shore and the Boston & Albany, and possibly some leased lines west. And then the Lake Erie & Western Railroad, which is one of these stockholding ownership, and the Indiana Harbor Belt Railroad Company, the Toledo, the Zanesville & Western, the Michigan Central Railroad, the Cleve-

land, Cincinnati, Chicago & St. Louis, the Pittsburgh & Lake Erie, the Kanawha & Michigan Railroad, in all of these companies the New York Central owns a controlling stock interest. The Toronto, Hamilton & Buffalo, is also shown in colors to show it is allied with the Central, as a company in which the New York Central has a stock interest but not a controlling interest.

By Commissioner Rounds:

Q. Does the present company own the physical line at present as far as Chicago? A. Yes.

Q. Independent of leaseholds? A. Yes; starting from St. John's Park, and going to Chicago.

By Judge Clark:

Q. That is the system of the New York Central as it at present exists? A. Yes.

Q. Now, these tracks on the westerly side of New York City were constructed soon after the charter was obtained in 1846?

A. Yes; completed, I think, to Albany, in about 1851.

Q. Will you state the circumstances and any facts connected with the construction of the road at that time, soon after the charter was granted, on the west side of New York City? A. Yes. I would say first, that I think attention should be called to the then situation. In the first place, New York City consisted of Manhattan Island alone. It was an island, in fact, surrounded by the North and East rivers and Harlem river, and Spuyten Duyvil creek. The development of the city had not proceeded very much above 42nd street. Eleventh avenue had not been legally opened north of 48th street. When I say legally opened, I mean all that had been done had been the filing of the map of 1811. Twelfth avenue north to 59th street had not been opened, nor the land acquired by the city. The result was that the Hudson River Railroad Company bought its right of way all the way down from Spuyten Duyvil to 48th street, bought a strip of land right through the center of 48th street.

Q. Bought it from private owners? A. Bought it from private owners. The territory, as I say, north of 42nd street, was very little developed. Part of 11th avenue was under the waters

of the Hudson river. It is all filled-in land; the territory north of 59th street was largely country and farming land.

Commencing at the southerly end, I find a map entitled "Maps of the City of New York, Surveys under the Direction of Insurance Companies of said City, by William Ferriss, Civil Engineer and Surveyor, 1854, comprising the 19th and 20th Wards."

The maps exhibit each lot and building, and the classes are shown by different colors and characters. I have had a photograph of one sheet of that map made, extending from 37th street to 42nd street, which does not show the color, so as to show whether the building is brick or stone or wood, but it shows the large vacant spaces; and other streets north of 42nd street show practically no development. This map was made by the insurance people purposely to show improvements existing, and I would like to offer it in evidence.

(The paper was received and marked "Commission's Exhibit No. 16," of this date).

By Judge Clark:

Q. Did you say you bought from private owners, the land all the way down to 48th street? A. Yes; all the way to 48th street.

Q. I notice in the resolution of 1847, reference is made along the line of the Hudson river and Spuyten Duyvil to near 68th street, occupying so much of 12th avenue as lies along the shore, then winding along the shore so as to intersect 11th avenue at or near 60th street, and thence along 60th to the middle of 11th avenue, and along the middle of 11th avenue to about 32nd street, is that correct? A. Yes.

Q. That resolution seems to recite improvements there above 42nd street? A. Yes; and they were laid out on the map. There was an Act of the Legislature passed in 1807, which provided for the mapping of Manhattan island. That was made and completed and filed in 1811, and these streets I speak of were simply streets on paper, nothing else, above 48th street.

Q. But it was considered necessary under the charter of 1846, in obtaining the consent of the City of New York to recite those streets up to 68th street? A. They did recite them, and that

described the route, and in taking the whole route we did go along, to some extent, and we crossed some few cross streets which had been opened. That is a mere matter of description, as far as that goes.

Now, taking Eleventh avenue, I have had made here a map which shows two parcels, Nos. 1176 and 1177, of right-of-way approaches in the center of Eleventh avenue. It also shows the profile taken from another map which indicates the grade or lack of grade of Eleventh avenue at this point. I would like to have that marked in evidence.

(Paper received and marked "Commission's Exhibit No. 17," of this date.)

By Chairman Van Benschoten:

Q. You referred to two parcels in the center of Eleventh avenue as being purchased? A. Yes.

Q. And Eleventh avenue was not laid out on this map at this time. A. It was laid out, but the title to the land was still in the owners. I give our grantors parcel No. 1176, which ran from the center of the block, 53d to 54th to the center of the block, 54th to 55th, which was granted by warranty deed from Winifred Mott and others to the Hudson River Railroad Company for the consideration of \$1,161.60; and parcel 1177 was conveyed by deed of Garrit H. Stryker and others, to the Hudson River Railroad, the consideration being \$661.50. This map shows that, and I would like to have it marked in evidence. (Refers to Exhibit No. 17).

That is typical of Eleventh avenue to the point where we go into the 60th street yard.

I have had another map made which shows what was done with respect to territory north of 48th street, which affects Twelfth avenue. That is just at and south of 107h street. Now, this map shows the relations at that point to the right-of-way as laid out to Twelfth avenue, as laid out on the map; and it also shows the high water mark which ran through this parcel. The parcel at that point was conveyed by William B. Moffat. You have here discussed the question of this high water mark. Here is an illustration: Mr. Moffat at that time evidently owned to high water

mark. He conveyed whatever title he had below high water mark, as well as the upland, to the Hudson River railroad.

Later in that case, the City of New York, by grant dated December 13, 1852, conveyed the land under water, including what was covered by his deed, to Mr. Moffat, extending out a considerable distance into the Hudson river. So much of that land so granted as lies west of our westerly line was undoubtedly later taken by the city when Riverside Park was extended into the river.

I would like to have that map marked.

(Map referred to marked "Commission's Exhibit 18", of this date.)

(Witness continuing): So when we got the grant from the city, Mr. Moffat made our title perfect.

By Commissioner Rounds:

Q. These water grants, did they come with conditions attached in those days? A. I do not know, Mr. Commissioner; but I presume most water grants would, and I also, in order to give another illustration, have had a map made which shows the right-of-way from 141st street to 148th street. That right-of-way included in those three parcels, is all west of what was then the paved street, Twelfth avenue. It also illustrates or shows the original high water line, and shows parcels 49, 50 and 51. The map shows the date of the deed, liber and page of record, and the money consideration in each case.

By Chairman Van Benschoten:

Q. Those were parcels which the railroad bought from private individuals? A. Yes, sir, parcel 49, from Samuel Thompson and James Tallmadge, consideration \$3,000. Parcel No. 50, Abby G. Solomon, \$350. That was a very small parcel, bought later, in 1892. Parcel No. 51, by John M. Bradhurst, to the Hudson River railroad, by warranty deed, consideration \$1,104. The land under water at that point, most of it had been granted by the city, and the New York Central Railroad Company now owns all that was so granted.

I would like to have that map marked in evidence.

(Paper received and marked "Commission's Exhibit 19", of this date.)

Q. We understand that these are merely typical illustrations ?

A. Those are typical, yes.

Q. And the railroad claims there were other parcels which it bought from time to time, various parcels, from private owners.

A. Yes. The railroad company bought all or practically all of the right of way from private owners, from Spuyten Duyvil to 48th street.

By Commissioner Rounds:

Q. Do you know how much those purchases aggregated ? A. No, sir.

Q. No idea at all ? A. I can find out. You can judge from that the prices paid.

Q. Referring to Exhibit 17, which, as you say, is a typical case, can you tell me whether lots 1177 and 1176 were at any time later condemned by the city when they formally opened the street ?

A. Yes.

Q. So the railroad got back its condemnation award ? A. No, sir; they got back the dollar. I do not know that they got the dollar. I think they were all one dollar.

Q. Being the amount awarded by the Street Opening Commissioners ? A. Yes; on the theory that they were taking it subject to our right to be there. It is this question which arises by reason of this high water mark which has been discussed, as to whether we have got title.

By Commissioner Todd:

Q. When you say all or practically all of the right-of-way from 48th street to Spuyten Duyvil, do you mean 95 per cent ? A. I would say 99½ per cent. The only reason why I say "practically all," for instance on the map I was discussing last, you saw a little corner we bought in 1892, and it was claimed that we encroached, and I think I know of one other case where no paper title was found. As far as my recollection goes, I do not think my attention had been called to more than one of those. Whether we got a deed that was not recorded or not, I do not know.

Q. You have had this question checked up by your office ? A. Yes.

Q. So in giving this answer, you are not giving something indefinite, but it is based on actual examination your office has made of the title to the property. A. We have complete maps of this entire right-of-way and land maps showing the separate parcels.

By Commissioner Rounds:

Q. Will you furnish us with a statement of costs from Spuyten Duyvil down and the amounts paid for right-of-way, and some statement as to the districts where they are, classifying them in some intelligent way, so we can tell how much is paid in one section, and how much was paid down in the streets below 60th street. A. Yes; I think I can. It is only a matter of getting it up.

By Judge Clark:

Q. You were about to show another map. A. Yes. I call attention to a map of that part of the City of New York, north of 50th street, surveyed and drawn by H. A. Jones, Civil Engineer, and published by M. Dripps, 103 Fulton street, New York City, 1851. This I will not put in evidence, as I bought it and paid a big price for it.

I want to call your attention to it as it shows the general situation up along what is now Riverside Park. Here down toward the southern end (indicating) around from 70th street up, it is marked "Bloomingdale Village," and further north it is marked "Manhattanville," and so on, and the lot lines are marked out in large parcels, and not in city lots.

This goes from 50th street to Spuyten Duyvil, 167th street; the entire shore is shown as being covered with trees. It was country; and the importance of this is that much of the criticism directed against any plan, has gone on the assumption first, on a set of facts which was not the correct state of facts. They are based on assumed state of facts, facts which did not exist. The criticism is based on what might have been if all these streets were opened, laid out, regulated, graded, paved and used, and that Riverside Park had been developed and completed to a perfect parkway, down to the water's edge; and that then the New York Central proposed to come along and plow through the park and build on these streets anew. But, that is not the situation. The

road was built when the conditions were as I have indicated, and the tracks have been developed subsequently, and alongside of that we can see from this map what the facts were, and we then have a condition and not a theory. It is a condition with many objectionable features which should be remedied, namely, that this shows the true condition, and not the destruction of parks.

By Chairman Van Benschoten:

Q. The development of the city in the locality is not in any way affecting the rights of the railroad? A. Not at all.

Q. Neither has the fact that the railroad went through it at that time, affected the rights of the city or private owners in property not bought or owned by the railroad? A. All right; I presume that is so.

Now, conditions being in general as I have described them, the City of New York being approximately 500,000 or half a million inhabitants at that time, whereas Greater New York today—Manhattan Island alone is over two million today,—and Greater New York is approximately five million, increased ten times. The situation being as it was, it was of the utmost interest to this Manhattan Island, then New York City, to be connected with the rest of the United States.

The records which I have examined indicate that the subject of building a road along this great waterway, the Hudson River, along the shore was regarded as chimerical and no faith was had in its financial success. One attempt I am told was with a road that was organized in the thirties, but it had met with financial disaster.

Now, going back to the question of Judge Clark, your counsel,—at the time that this charter which became Chapter 216 of the Laws of 1846 was pending in the Legislature, the Common Council of the City of New York in March, 1846, adopted the following preamble and resolution—and I want to say, Mr. Chairman, that I do not know that I need to read this, except to call your attention to it. I prepared a copy of it which I gave to Judge Clark, and I have tried to put it in order, and I will put it in evidence.

Chairman Van Benschoten: The brief will be filed and considered by the committee.

The Witness (continuing): It is not a brief, but for the most part it is an attempted statement of facts. If you will now let me put it in, I will not read so much.

Chairman Van Benschoten: I think we had better proceed and put upon record such matters as you want. We have not a copy here.

The Witness: You can use your judgment about putting it in.

Chairman Van Benschoten:

I assume the statement could be filed for the information it would furnish, but hardly as testimony sworn to, and we having no opportunity to look it over or make inquiry concerning it, you had better do it in that way.

The Witness: As soon as I can make some corrections, I will file copies with all of you.

Chairman Van Benschoten: Is it not sufficient if you refer to ordinances which have been passed, and reading such papers as you desire, on the record?

The Witness: All right. I will read now:

"Whereas, the importance of a good communication by railroads between this city and the railroads west of Albany is every year becoming more manifest and urgent, and exciting the attention of public spirited citizens; and whereas, the Common Council regard such improvement as highly important, if not indispensable to commercial prosperity of this city, therefore,

"Resolved, that our delegates to the State Legislature be requested to use their influence in obtaining the passage of an Act now pending in the Assembly to incorporate the Hudson River Railroad Company."

In a pamphlet entitled "Hudson River and the Hudson River Railroad," published in 1851, it is said:

"The project of building a railroad along the banks of the Hudson River from New York to Albany, was, for a long time, deemed visionary and unworthy of consideration. It was argued and believed that even if a road could be built through the High-

lands, at anything like a reasonable expense, it could never compete with the river steamboats, noted as they were for elegance, safety and speed."

Now, the Act was passed and the requirements I will call attention to later, also the consent and assent of the city obtained. And in connection with the attitude of the then city, as indicating that the road was built to the satisfaction of the city, it appears by a report to the Common Council in 1851, after the completion of the road, by special committee, and by resolution of the Common Council adopted thereon, and approved October 24, 1851. The report, among other things, states: "That the citizens of New York have great cause for congratulation that the important work of the construction of a direct line of railway between their commercial metropolis and the city of Albany has been at last triumphantly completed.

"The building of a railroad between this city and Albany had for a long time engaged the earnest attention of a number of the spirited residents not only of New York, but of Albany and the intervening towns and villages.

"Its importance to the growth and prosperity of the commercial as well as the political capital of the State, was admitted by all whose attention was directed to the subject. And therefore at a session of the Legislature in 1835, an Act was passed, incorporating the New York & Albany railroad. This contemplated road, although its line was to be located beyond the margin of the river, and within the interior of the counties bordering on the same. promised when completed to meet the expectations of those whose time and money had been devoted to its interest. The company was organized, subscriptions to its stock received, and the road partially located, when the commercial tornado of 1836 swept our whole country, prostrating this as well as other similar work of internal improvement. From this disaster it never recovered, although it lingered for some time under subsequent Acts of the Legislature granting an extension of the time to commence the same.

"The prospect, therefore, of the construction of a direct line of railroad to Albany being but small under that charter, several of the individuals who had originally founded it, as well

as others, directed the attention of the public to the building of a road directly on the line of the east bank of the Hudson. From a survey and estimate which were made by the talented and judicious engineer, John B. Jervis, Esq., its practicability as well as ultimate success was established sufficiently in their minds to induce them to make an application to the Legislature for a new charter for the incorporation of the Hudson River Railroad Company.

“Accordingly, on the 12th day of May, 1846, an Act was passed by the Legislature of this State entitled ‘An Act to Authorize the Construction of a Railroad from New York to Albany,’ constituting all persons who should become stockholders pursuant to said Act a body politic and corporate by the name of ‘Hudson River Railroad Company.’

“To connect our city with the North and West at all seasons of the year as well as when the waves of the Hudson bear on their surface the fleets of steamers and barges freighted with the productions of our own and neighboring states, as when its waters are locked in its icy fetters by the rigor of our northern winters, was an object greatly to be desired by all whose interest or pride might be connected with our city by reason of the increased activity and prosperity it would give to its trade.

“This object has been accomplished and the iron rail which skirts the banks of the Hudson to the City of Albany, brings the northern and western portions of our State, as well as the whole West at all seasons and in all time to come, in closer proximity with the commercial metropolis of the country. With another great and similar work recently opened, it must and will greatly contribute to the trade, population, wealth and grandeur of our city. And therefore those who projected, encouraged and supported its construction, deserve not only the thanks of the municipal authorities of New York, but of every citizen of the same.”

Thereupon, upon the recommendation of the Committee, the following resolution was adopted:

“Resolved, that in the construction of the important and magnificent work of the Hudson River Railroad, the citizens of New York have great cause for congratulation, from the increased trade

and additional prosperity which this great enterprise promises to contribute to the commercial emporium of our State and country."

That was the attitude of the State and the country at that time.

Chairman Van Benschoten: As far as this memorandum or statement you have prepared relates to reports or resolutions, or any public action to which you wish to refer, or have an extract appear upon the minutes, that part you may offer directly from the statement; but so far as your own argument or statement is concerned, we would prefer to have that before the Commission.

The Witness: I want you to hear it. My evidence will give it in orderly state if I put it in finally. As far as it is an expression of opinion, you can take it as such. It does not bind you if I put my opinion in evidence, does it, any more than if I testified to it?

Commissioner Ainsworth: Those resolutions are attached to your complaint in the action?

The Witness: Yes, sir; and the city promptly moved to strike them out, and they were stricken out, and the Appellate Division promptly put them back.

Commissioner Stoddard: Don't hesitate to get down to 1917.

By Judge Clark:

Q. In 1847, there was an ordinance adopted assenting or consenting to the acts of the railroad under the charter of the road, of 1846. Is that correct? A. Yes.

Q. And the railroad proceeded to act under its charter and under that ordinance? A. Yes, sir.

Q. You have described the property of the railroad which was purchased down to 48th street. I understand you, that this ordinance did not apply to the property above 48th street; that those streets mentioned in the ordinance need not have been mentioned. You purchased this property directly from the owners? A. They mentioned the routes.

Q. You, under that ordinance, obtained certain property rights below 48th street? A. I have not said so.

Q. Did you obtain certain property rights below 48th street?

A. We have not got to that yet. That is a different question. We have not got to the ordinance yet.

Q. The ordinance is a matter of record. You have it printed in your statement there, but we have seen it many times in other documents, and we have it from the records of the city. A. You have the ordinance of 1847 in evidence?

Q. We are familiar with it. Under that ordinance you proceeded with certain construction and you have explained what happened in that construction down to 48th street? A. Yes.

Q. What did you do below 48th street? A. We constructed the road to 30th street under that ordinance, and down to Chambers street, under the ordinance of 1849.

Q. Just as outlined in the ordinance? A. Yes, sir, so I understand.

Q. Along the same streets and avenues? A. Yes.

Q. And those are the property rights which you are now using in your right-of-way below 48th street? A. Granted by the ordinance?

Q. Granted by the ordinance. A. No. The right did not come from the ordinance at all.

Q. Well, under the charter. A. They came from the State. We got certain rights from the State. The State gave us the right to build where we did build under condition that we got the consent and assent of the city, and when we got it, it was fixed.

Q. And that was the ordinance under which you built this road? A. We built it under the charter.

Q. And with the consent and assent of the city as expressed in the ordinance? A. Yes.

Q. What I am after is, the foundation of your property claims on the west side. A. The charter and the acceptance of the charter, and the building of the road and the condition imposed of obtaining the consent and the assent of the city having been made. That constituted our rights.

Q. There was no purchase of property for your private right-of-way below 48th street? A. No, sir; that is right.

Q. So that it entirely comes under this consent? A. No.

Q. What does it come under in addition? A. Under the charter of the State.

Q. But you could not have exercised that right, except under this ordinance? A. We had to get the assent and the consent of the city, which we did.

Q. Is there any other ordinance under which you are acting? A. Yes.

Q. What is it? A. The ordinance of 1849, and this ordinance. The one of 1847 went to Canal street, and later there was an ordinance, 1849 I think it was, which authorized the extension of the tracks, or consented or assented to the extension of Hudson and Canal and Chambers, with a station at Chambers.

Q. There were other ordinances? A. Yes. I have — I think the main line was covered by those two. Then there was an ordinance of 1867 which authorized us to lay down such switches and turn-outs at other passenger stations and depots, as were necessary for the convenient transaction of the business. There were various other resolutions and ordinances which authorized mainly the laying down of spurs.

Q. You are, of course, very familiar with the procedure and the transactions in connection with an attempt to adjust this west side problem, as it is called. When did that matter first come up under any law? A. If you please, Judge, I am willing to go on with your questions as you see fit, but I would prefer to get it in order.

Q. I want to skip over to the Saxe situation. A. I want to call your attention to one or two other matters before you get to that.

Q. All right, Mr. Place. A. I want to call the attention of the Commission to a situation in regard to Riverside Park and the right-of-way through that territory.

Now, bearing in mind, we had these deeds of this right-of-way, which was in accordance with the map filed by the city, the portion of Riverside Park on the east of the railroad, having been laid out prior thereto, the westerly boundary of this Riverside Park was fixed by Chapter 496 of the Laws of 1885.

Q. Was that the westerly boundary? A. I will read it: "An act to define, lay out and establish the boundaries and lines of Riverside Park and Twelfth avenue between 79th and 129th

streets in the city of New York, as follows: Section 1. The permanent westerly boundary of Riverside park in the city of New York between 79th and 129th streets shall be the line designated upon the map or plan of the route or roadway of the Hudson River Railroad Company, filed on or about the second day of September, 1847, in the office of the Register of the city and county of New York, as the easterly line or side of said route or roadway. That part of the present 12th avenue and all other lands between the present westerly line or boundary of said park and the line hereby established shall be part of said public park or place, to the same extent and effect as if the same had been laid out as a public park or place, and as part of said Riverside Park, by the Commissioners of the Central Park, under and pursuant to the Act known as Chapter 697 of the Laws of 1867."

Q. Now, we will take that Act. We find it in the General Act and in your memorandum. A. Yes, I am putting it in evidence.

By Chairman Van Benschoten:

Q. The memorandum is being filed as a statement, and it is not in evidence in the same way as the sworn testimony of the witness. A. It is true, according to my best knowledge and belief.

By Judge Clark:

Q. We have that map and the boundaries of Riverside Park. A. That fixed the westerly boundary of the park that time specifically by our easterly line. Now, later, a westerly boundary or the land under water, west of the track, was taken in by Act of Chapter 152 of the Laws of 1894, and in that case our westerly boundary as shown on the map was made the easterly park boundary. And by the said Act, all that part of 12th avenue which lay east of our westerly boundary, was discontinued and closed.

Q. You mean the cross streets? A. No; all of 12th Avenue; not the cross streets.

The city had thereafter taken a proceeding to open up 12th avenue, and after those two Acts, Chapter 442 of the Laws of 1895 was passed, to which I call attention, as it recognizes the

evidence of intention to continue and close the entire portion of 12th avenue, between 59th and 129 streets. It is entitled "An Act empowering the Comptroller of the city of New York to refund the assessment laid upon property south of 129th street, for opening up 12th avenue between 59th and 153rd streets; said 12th avenue south of 129th street having been closed."

Now, there is not much left of 12th avenue between those points.

By Chairman Van Benschoten:

Q. That is 149th street? A. 129th street. (Witness continuing): The only other thing to which I call attention is the fact that the Act, Chapter 714 of the Laws of 1887 — passed after the 60th street yard was constructed — some time between '70 and '80. All this territory covered by these tracks at the 60th street yard. This act of 1887 authorized a parapet wall from 72nd street down to 61st street, on our easterly line, the statute permitting a toe to go on the property of private owners, settling with them directly or condemning in case we could not reach a settlement with the private owners.

I think we are down now to the Saxe Law.

By Judge Clark:

Q. What was the Saxe Law? What was it, and what was done under that enactment? A. The Saxe Law was Chapter 109 of the Laws of 1906.

Well, the Saxe Law was introduced in the session of 1905. The New York Central was at that time in the midst of the work of the Grand Central Terminal. I said to Senator Saxe at that time, we simply could not take up this west side proposition in that year; but that if the matter could be laid over and we could get a proper bill, we would take it up. The bill did not pass, it went through one house, the Senate. Next year it was passed by both houses and we opposed that bill at that time, not because we were not then in sympathy with this matter, but because we felt under the provisions of the law no solution could be found.

By Commissioner Stoddard:

Q. What were the provisions which were so objectionable to you in that particular law? A. In the first place, the main objection was that it provided for a subway all the way from Spuyten Duyvil down; nothing else. That bill was passed, and the jurisdiction was placed under the old Board of Rapid Transit Commissioners. Mr. George Rice was then their Chief Engineer. The matter was referred to him, and he made a report which I have cited in the memorandum, reaching the conclusion that the subway was impracticable. He made a sketch, or an alternative plan or line, neither of which complied with the provisions of the Act, so the engineer of the Rapid Transit Commission and ourselves were in accord that we could not solve it under the Saxe Law.

The Act further provided for an agreement as to terms and conditions, and so forth. But it provided that in case the city and the railroad did not reach an agreement in 12 months, that the city should condemn all of our rights.

Now the Board of Rapid Transit Commissioners itself did not undertake to condemn, but on July 1, 1907, when the present Public Service Law went into effect, jurisdiction under this Saxe Law passed to the Public Service Commission of the First District. That Commission sent various statements and documents in regard to the matter, with the request to commence the condemnation proceedings, to the Corporation Counsel. The Corporation Counsel examined the matter and reported that the city was not in a position to condemn, in his opinion. That is, in no legal position.

By Chairman Van Benschoten:

Q. Do you know whether it was a written or published opinion? A. I think it was.

Judge Clark: May 28th, 1909, is the date of it, by Corporation Counsel Pendleton.

By Commissioner Stoddard:

Q. Have you a copy of that opinion or a digest of it? A. I think probably we have a copy of it.

Q. We want to learn the grounds on which he based his opinion. A. I can state them briefly, if you will allow me. I think there were two reasons why condemnation could not be carried out. One was that no plans had ever been made in accordance with the act, and the other was that no attempt had been made to agree with the railroad on the plans provided in the Act. A property owner not satisfied with that opinion commenced mandamus proceedings to compel the commencement of the condemnation proceedings, and that was denied by Mr. Justice Gerard, late Ambassador. That, Judge, if I recall, ends the Saxe episode.

By Judge Clark:

Q. Then how did this matter come up next? A. As I say, this matter had devolved upon the Public Service Commission as far as that Act was concerned; and of course under the Act, that is, under the Public Service Law, they had jurisdiction over this. As a matter of fact, it was a mixed jurisdiction between the Public Service Commission up the State and this Commission in the First District. This Commission having jurisdiction over the physical property.

The next thing which occurred is in the report which the Public Service Commission of the First District made, its first report—that was for the six months ending December 31, 1907. The Public Service Commission after reciting the mandatory provisions of the Saxe Law said, with reference to those tracks:

“Some method of sinking or elevating these tracks must be found. For many years the situation has been growing worse and worse. Children are killed. Needed streets are rendered almost impassable, traffic is constantly impeded by freight trains, and a large portion of an important section of the city finds its progress retarded. The probable award on condemnation would impose a serious burden of payment upon the city, and moreover, some railroad access to the westerly part of the city to bring into market produce, meat, milk and merchandise is desirable. The solution, therefore, rests rather in the replacement of the tracks than in their removal.”

That is the report for those six months. Nothing seems to be doing in 1908. The Assembly in February, 1909, February 24,

1909, requested information of the Public Service Commission as to the status of the matter. That Commission reported among other things: "Although this Commission has no further duty under the Saxe Law, the Commission has not been content to stop here. Believing that some solution must be found, that a practical plan can be evolved, and that the city would be greatly benefited by such a plan, the Commission has been and is making a careful survey of conditions upon the West Side, and hopes to be able, in the near future to report a plan and to suggest appropriate legislation to carry the project to an actuality."

No such legislation was ever proposed by the Public Service Commission, to my knowledge, so near the close of the session of 1909, I caused to be introduced into the Legislature, a bill which I had, before having it introduced, submitted it to the Public Service Commission for their criticism, and I submitted it to the Mayor, and at his request I had gone to the Corporation Counsel, Judge Pendleton, and he agreed it was a permissive Act the same as 1911 and that it was the best we could do, and it enabled us to come to an agreement.

The bill passed both houses of the Legislature and it came down to Mayor McClellan. Critics of the plan came before the Mayor and made the same complaint which had been made for a long time, the substance of which was (1) such rights as had ever existed to have these tracks in the city of New York had been acquired from the city itself by virtue of the ordinance of 1847, and (2) that all such rights had expired at the end of fifty years, that is, in 1896.

Now, those critics, although the Corporation Counsel found no objection to it, those critics by their criticism, frightened the Mayor, and he vetoed it.

Then there was introduced into the Board of Estimate and Apportionment, by Comptroller Metz, a resolution which was adopted by the Board, calling upon the Corporation Counsel to advise the Board if there was any substantial doubt as to the legal rights of the said New York Central & Hudson River Railroad to operate a railroad along said right-of-way, and if so, what action should be taken to have such rights adjudicated and settled, if need be, by the court of last resort.

Under date of May 21, 1909, the Board of Estimate and Apportionment adopted the following preamble and resolution—said resolution is set out in full in the brief—in the statement. Under date of May 28, 1909, the Corporation Counsel transmitted his opinion. He reviewed the general facts. He stated my view, and said that “While from the foregoing citations it appears much may be said in favor of the contention made by the company, that it possesses a perpetual franchise in the streets of the city, or a franchise for 500 years, which amounts to the same thing, it is not entirely clear that such a right exists.” And he adds: “The question is, as your resolution states, of so great importance to both the operating company and the city, as well as of so general public interest as to call for judicial determination.”

But as to the method of having it determined, he advised the Board to give us notice to take the tracks up within thirty days; and if we did not take them up in thirty days, to direct the Borough President to take them upon and charge the expense to the railroad company.

I said to Judge Pendleton, “You want to put the burden of starting this litigation on me. If you think we are not rightly there, why don’t you oust us?”

So, I started the action to restrain the Board of Estimate and the city from ousting us. It came up before Judge D. Cady Herrick, as referee. He decided in favor of the company, and an injunction restraining the city from moving the tracks was ordered. The case was reported in 142 Appellate Division, 578. The Appellate Division and the Court of Appeals, without a dissenting voice from any one of the twelve judges, answered each of the claims in the negative, and I quote from the facts and the law and the judgment restraining them, which is in force today, against interfering with the tracks.

Chairman Van Benschoten: Will you insert in the record the citation of the court opinion?

The Witness: Yes. In the Appellate Division, the appeal of the city to the Appellate Division, the case is reported in 142 Appellate Division, page 578. And on the affirmance by that court, it is still on appeal by the city, which is reported in 202 New York, page 212.

Chairman Van Benschoten: We are quite familiar with these decisions.

The Witness: That decision came over in the administration of Mayor Gaynor.

By Judge Clark:

Q. That final decision was in 1911, in the Court of Appeals?

A. I think so; both sides agreed, the city and myself, that we would expedite the trial as quickly as possible, and it went through as quickly as the Court could handle the case.

By Chairman Van Benschoten:

Q. Was not that decision rendered prior to the passage of the Act of Chapter 777 of the Laws of 1911? A. Oh, yes; that decision having been rendered, the next I heard from the city which led to taking this matter up again, was something to this effect — an order came from the Mayor or the Corporation Counsel — I do not know which — they said: "Having got this decision, your attitude will be to do nothing?" I said "Not at all. We are ready to make this improvement now, as before. Our attitude is not changed in the slightest degree. We have gone through all this litigation simply to show that I was right. That is all. I take the same position now I took before."

The Court said we had these rights, and we have them now. We have now the Court of Appeals' decision that we are rightfully there, and would be rightfully there under any modification.

Q. What do you mean when you say the Court of Appeals said you are rightfully there? A. They showed what put us there, and they said they could not interfere with us.

By Commissioner Beard:

Q. Who could not? A. The city. The extent or limitation of the jurisdiction of the State was not questioned at all. I never questioned the jurisdiction of the State. I said the litigation.

Q. That case merely involved the rights of the city to oust the railroad from the streets? A. It involved the right to be there.

Q. That was the fundamental thing decided? A. No; the fundamental thing was they decided that we had a right to be there and the incidental thing was that the officers of the city

could not tear up the tracks. You may have a right subject to a power to modify that right. The State of New York has got the right to bring about the elimination of grade crossings, and we are doing it every day under the State law. But that does not mean that because we cross a country highway up in the State somewhere, that we have not the right to be there. We have it subject to the right of the State to say how we shall be there.

By Chairman Van Benschoten:

Q. That was the purpose of my question. I wanted to learn the nature and existence of that right under the Act under which you are acting, and the ordinance which gave you the consent.

A. The ordinance does not cut any ice. The statute, under the power of the State, whether you call it under the police power or other, there is a power of the State which can be exercised, despite any rights we have.

Q. Do you claim you could have built the road if the city of New York had refused this consent? A. It was a condition we had to meet before it could be built. The Legislature at that time had the power to say so, irrespective of the city, but it did not. It said, "Your particular location must be with the consent and assent of the city."

By Commissioner Beard:

Q. Then your view is that the case not only decided the right of the City of New York to terminate your occupation of the streets, but it also decided whether the State of New York could terminate your rights of operation? A. I distinctly said the contrary. I said the State has certain power with respect to regulating these tracks. I did not say they or anybody had the power to terminate them.

Q. This case decided the case of whether the city could oust you from the streets? A. It certainly settled that.

Q. Did it also settle, in your opinion, the question of whether the State has the right to terminate your occupation of the streets?

A. That question was not involved, except as it showed we were rightfully there.

Q. Then the question was involved? A. No, it was not.

Q. If you are there under a constitutional right, then the

Legislature of the State cannot touch your rights? A. What do you mean, the right to terminate or modify?

Q. To terminate. A. Sure. The case, as far as it went on that, so holds, and determines.

Q. So far as it went on that point? A. Yes.

By Commissioner Rounds:

Q. Do you understand that the present right is 500 years from the time it was granted, that it had 500 or 50 years' limit when granted in 1846 or 1847? A. No.

Q. So the question of 50 or 500 years cuts no figure? A. Absolutely no.

By Commissioner Beard:

Q. What was the 50-year limit, a limit on corporate existence? The law says the right to transport, take or carry any property or persons upon same by the power and force of steam or animals or mechanical or any other power, or any combination of them, for the term of fifty years from the passage of this Act? A. Yes.

Q. That applies to the right to take and carry? A. That applies to the corporate existence, and the State is authorized to extend or not, and it has been extended.

Q. The first sentence of this Act creates this corporation, and there is no term limit on that? A. Yes.

Q. And the second sentence authorized you to build a railroad. Then follows a semicolon, "With the power to transport and carry property and persons for the term of fifty years." That term of fifty years was a restriction or limitation, was it not, upon something in that? A. Will you allow me to answer that in the language of the Court of Appeals?

Q. I would like to get your views. A. I endorse the opinion of the Court of Appeals there. It is good enough for me.

By Commissioner Rounds:

Q. Perhaps Dr. Beard would like some explanation of your own thought as to how it could be true. A. I think it is so clear, it needs no explanation. It was a limitation, but not a restriction.

By Commissioner Beard:

Q. A limitation of what? A. The corporate entity, and then the State could authorize its continuance.

Q. It was no restriction upon the rights or privileges of the old corporation? A. No.

Q. Under what provision did you extend the corporate life? A. The Act of 1869.

Q. Did that expressly do it, or authorize you to do it? A. That is when the companies consolidated.

Q. And they extended the term by agreement between themselves? A. By virtue of the consolidation, the two corporations which were the constituents, were merged, and a new corporation was created in law.

Q. But there was nothing in the act of 1869 about the life of any corporation? A. No, I think not.

Q. Then the extension took place as a result of the agreement between the consolidated companies? A. Quite true.

Q. And the Act of 1869 provides that such act of consolidation shall not release any new corporation from any of the restrictions, disabilities or duties of the several corporations so consolidated. In your view, then, this original limitation does not come within the purview of that? A. No.

Q. And under the general language of the Act of 1869, then you extended your corporate existence? A. Under the general terms of that Act was fixed the corporate life of the company.

Q. At fifty years? A. At five hundred years.

Q. What is your opinion of the difference between a restriction and a limitation? A. It would depend on the circumstances.

Q. This act of 1869 subjects the new corporation, the consolidated corporation, to all the limitations imposed on each of the constituent companies. If this term of fifty years was a limitation, would not that apply? A. It is a limitation in the sense of stating that it should be so long, fifty years. That is all. I do not care whether you call it a limitation or a restriction. You can name it what you like.

Q. If we call it a restriction, how do we escape the language of the Act of 1869, when the Act says that the new corporation shall be subject to all the restrictions of the old corporation? A.

That meant the old obligations. When we take this ordinance of 1847, the city saw fit, and they did impose conditions, although nothing was said in the Act. They imposed conditions that we should pave and do various other things, and we had to consent to them, and we did. Those all became binding on the new corporation, and they are binding on the corporation today.

Q. But the term of years did not? A. That is what I think, and that is what the Court of Appeals says.

By Judge Clark:

Q. That brings us to Chapter 777 of the Laws of 1911, how that came to be prepared, and who prepared it, and what was done in reference to the enactment of that law.

By Commissioner Stoddard:

Q. May I ask a question to bring this matter to date? At the time the Saxe Law was abandoned, up to this moment of the introduction of the Law of 1911, did the Public Service Commission take any action in the matter at all? A. I think the only thing is they made mention of it in their first report, and then at the request of the Assembly Committee on Cities, I think they made a report.

By Chairman Van Benschoten:

Q. To the Legislature? A. To the Legislature.

(Witness continuing): As far as action is concerned, I do not think anything of moment occurred except that I conferred with two members of the Commission, a great many times.

By Commissioner Stoddard:

Q. But as far as any persistent effort being made, from the time of the abandonment of the Saxe Law to the introduction of this Law of 1911, no progress was made? A. Nothing except some informal discussion between certain members of the Commission and myself.

By Judge Clark:

Q. Now as to Chapter 777 of the Laws of 1911? A. As I said a moment ago, after the decision of the Court of Appeals, it was suggested that probably the right having been settled, we

would not be disposed to proceed with the improvement. I said, "On the contrary, we are anxious to carry it out in a reasonable way." The result of that was that in Mayor Gaynor's administration, Mr. John De Witt Warner, was assigned as special counsel representing the city in the preparation of the bill. Now, I had several conferences with Mr. Warner on the subject, and I sent him the form in which the bill was introduced.

I may state the bill was introduced April 20, in the Senate, and in the Assembly, by Assemblyman Walker, and the attitude of the company appears from the following letter, written by Mayor Gaynor, as well as my reply; and my recollection is this matter had a public hearing, and my recollection is that the public hearing to which he refers was another public hearing. Under date of May 25, 1911, Mayor Gaynor writes:

"Dear Mr. Place:

"I thank you for sending me the opinion of the Court of Appeals. I was glad to hear you say at the public meeting the other day that you would accept the city's bill in the Legislature if it should pass, and I am going to rely implicitly on that statement, so you had better let your Board of Directors know where we stand. If we get the bill through, we must sit down and go to work on this matter to settle it once and for all.

"Very truly yours,

"W. J. Gaynor, Mayor."

As I said, the bill had been sent up by the city and introduced. To that letter I replied the next day, May 26, 1911, as follows:

"Hon. Wm. J. Gaynor, Mayor,

"City Hall,

"New York city.

"My dear Mr. Mayor:

"I have your note of yesterday in regard to the city's bill on the West Side situation. I have accepted the provisions of the Walker Bill as reported by the Rules Committee, and you may be sure if this bill becomes a law, that the company will proceed

with the utmost good faith; and I have every reason to believe that if the bill does become a law, this question will be settled right during your administration.

"I was in Albany Tuesday afternoon and evening at a hearing on the bill in the Senate Committee, and advocated the passage of the Walker Bill in its present form.

"Yours respectfully,

"Ira A. Place, Vice President."

Does that answer your question fully, Judge?

Judge Clark.—Yes, I think it does.

By Commissioner Stoddard:

Q. Mr. Place, you make no claim of authorship of this legislation of 1911. A. No. sir, I make no claims whatever.

Q. I want to know whether you included this in your blanket claim, that was all.

By Judge Clark:

Q. You say you saw this before it was introduced, this bill?

A. Yes.

Q. And made some suggestions before it was presented? A. Yes; I made some suggestions while it was being drafted. I made one before it passed the Legislature.

Q. And you considered this bill of 1911 a satisfactory measure?

A. No.

Q. What was unsatisfactory? A. Well, it was unsatisfactory because we had to pay all the bills, and other provisions were in it which I did not like. But I consented, to get something workable.

By Chairman Van Benschoten:

Q. So in its final form, you consented to it, under the conditions you have just mentioned? A. I did, and there are a lot of people who do not realize the difference between carrying out an agreement under compulsion, and by consent.

By Judge Clark:

Q. Have you testified of what happened under that Act of 1911, the action of the Board of Estimate and Apportionment, and the

action of the Committee appointed in 1913, and as to the later report which resulted in the plan of 1916? Without going into those details, will you tell us what happened under that bill, Chapter 777 of the Laws of 1911, so far as the railroad is concerned? A. The only mandatory provision of the Act of 1911 was that the New York Central & Hudson River Railroad should on or before October 1st, 1911, submit plans and profiles showing the necessary changes in order to accomplish the purposes of the Act. That, the railroad company did by submitting plans and profile to the Board of Estimate and Apportionment on the 28th day of September, 1911; and I have blue-print copies of those plans here, and I offer them in evidence.

Q. Prepared by you pursuant to that law? A. Yes, sir, under Chapter 777 of the Laws of 1911.

Q. The plans proposed by you were to remedy the West Side situation? A. Yes.

Judge Clark: I will have them marked in evidence.

(The plans were received and marked "Commission's Exhibit No. 20", of this date.)

The Witness: (Continuing) I say, in the first place, that this bill become a law July 25, 1911. It had taken a long time in the Legislature, but it became a law so we had but a short time to make these plans and profiles within the time specified, but they were done.

The general features of the plans and profiles and methods of accomplishing the purposes of the Act were that so far as the methods prescribed in the Act, it was complied with. Commencing at the north end of the City we came on down to Washington Park, and we proposed to widen our right-of-way at that point. I think on both sides. No, we came down a line through Washington Park, straightened it, certain portions were conveyed to the City to be added to the park, and enough additional to provide for six tracks. At the Manhattanville Yard, we carried the tracks over the street there, and we provided north of 137th Street a large and ample freight yard, with proposed piers, which could have been used for transporting freight to other points in the

Harbor. That yard, in our judgment, was no more than adequate for the needs of the locality and for freight to be handled there.

In the year 1913, the plan which was reported but never acted upon by the Board, that yard was very much cut down, and in the 1916 plan it was still more reduced, we were asked to submit the minimum, and it was moved down farther so as to obviate certain criticisms of the few. Through Riverside, the additional strip required for these tracks, about thirty feet were taken from the westerly or water side, the two strips between 79th and 96th Streets being carried over the tracks.

At the 60th Street yard, the proposed yard was much larger than the 1916 plan. At that place we were also asked to reduce it to a minimum of capacity.

By Commissioner Beard:

Q. What do you mean by minimum? Do you mean minimum up to your operating capacity now? A. They said this yard at Manhattanville and this yard here (indicating) should not be larger than is necessary for the transportation or handling of freight.

Q. For immediate use, or considering some future date? A. Our purpose was that we should provide for the present and the reasonably near future. The City on its part wanted us to cut it down as much as possible and at Manhattan Yard we reduced it to a size we did not think was adequate for even today. In other words, we think if a considerably larger yard were used today, its capacity would be reached very shortly by the needs of the people in that locality.

Then below the 60th Street yard we came down with four tracks along the marginal way to the 37th Street yard, and there planned a double-deck freight station, and two grades of the streets between Eleventh Avenue and Twelfth Avenue. Here is on one sheet, the lower level, the tracks coming to the yard from the piers at the surface. But whereas all the cross streets are practically closed today, as seen on the existing plan, all of those were opened on two levels, that is, one lower level at or near Tenth Avenue, clear over to Twelfth Avenue, and then another from each of those and 31st, 32nd and 33d Streets would all be open.

Here is the upper level (indicating). Then we went down the marginal way with two tracks to Canal Street, and then to St. John's Park, which we proposed to be about double in area on the ground that it would more than double in capacity from here (indicating,) and then we continued down the marginal way to Cortlandt Street.

By Commissioner Stoddard:

Q. To Cortlandt Street? A. Yes.

By Judge Clark:

Q. That original plan of yours was submitted to the Board of Estimate and Apportionment, and was referred by that Board to the Commissioner of Docks, Mr. Tomkins? A. Yes.

Q. Who reported upon it in November, 1911? A. Yes.

Q. Then the matter was referred to the Special Committee consisting of the President of the Board of Alderman, Mr. Mitchel, and others? A. Yes.

Q. And they reported on the matter again on March 27, 1913? A. Yes.

Q. No action was taken on that report except public hearings were had? A. Public hearings.

Q. And then the matter was referred for further consideration back to the Committee? A. Yes.

Q. And various negotiations were entertained, or certain consideration was given to the matter until January 15, 1916? A. Yes.

By Chairman Van Benschoten:

Q. That was a new Committee? A. Yes. It was referred back to the Committee before the Chairman, Mr. Mitchel, became collector of the port; and it was referred to a new committee consisting of Mr. McAneny, as chairman; Mr. Piendergast, Mr. Miller and Mr. Lewis, the chief engineer of the Board. That was in the summer of 1913. That was the mayoralty campaign year; nothing was done that summer. We could get nothing done. When the new administration came in in 1914, they divided the general business of the committees, and this came under the Com-

mittee of the Port and Terminal Facilities, of which Committee Mr. Prendergast was Chairman.

Q. At that time there were negotiations between the railroad and the Committee on Port and Terminal Facilities, which resulted in an agreement? A. Yes; resulted in a general agreement of the whole matter, on January 15, 1916.

By Chairman Van Benschoten:

Q. Was that agreement put in writing and signed? A. It is initialled by the Mayor and the Comptroller, the President of the Borough of Manhattan, and the President of the Borough of Brooklyn, and by the Dock Commissioner. It is a short memorandum of a general agreement we had reached.

We had these plans and profiles, which have been modified by suggestions from time to time, to meet what we had agreed to; those had to be revised. And on that same day the Port and Terminal Facilities Committee designated as the representatives of the City for the purpose of revising the plan for the Board, Mr. Ernest Goodrich, Mr. Charles W. Staniford and John L. Sullivan. They were to confer with the railroad and work out the details of these plans and profiles; and between that time and April 6th, they worked out the plans and profiles to satisfy the Port and Terminals Committee and the railroad, and those were signed each sheet of them, by all of the members of the Port Committee and their engineers, and on the part of the railroad company, by myself.

By Commissioner Stoddard:

Q. By all of the City officials who had initialled it previously? A. All except the Mayor. The Mayor was not there. He was ex-officio member of the Port and Terminal Facilities Committee then. The plans in the end would have been signed by him, but these sheets were all signed by the Committee on Port and Terminal Facilities, and their engineers, and on the part of the railroad, by our engineer and myself; and then those plans and profiles were submitted to the full Board and we suggested that they be submitted as being the changes they proposed in accordance with the Act.

By Chairman Van Benschoten:

Q. Were the working papers and the data which worked up to this plan being put in final shape, preserved? A. The working data of what?

Q. Of the engineers? A. I do not know about that.

Q. Where were these plans prepared? A. At the Grand Central terminal.

Q. The City Engineers met there? A. Yes; and met with the company engineers, and they met and thrashed out the details. It was simply a working arrangement, so that when completed, all would understand them.

By Commissioner Stoddard:

Q. My question was for the purpose of determining at what point in these negotiations Borough President Marks, who initialled the plan, at what point subsequent to that, did he refuse to go along? A. Mr. Commissioner, had not Mr. Marks better tell you that?

Q. I thought it had something to do with your negotiations? A. No, sir. We agreed, as far as I was concerned, and I suppose Mr. Marks and everybody else held me up to what I agreed to. I could not hold others to their agreement if they wanted to back out.

Q. I thought there was some point at which he officially declined to approve of the plan? A. I would prefer to have you ask him about that.

By Commissioner Todd:

Q. As I understand you, Mr. Place, there was considerable cut in the facilities offered by the 1916 plan as agreed upon, as compared with the original plans submitted by the railroad? A. Very considerable.

Q. What percentage would you say of a cut in the facilities? A. Mr. Commissioner, I could not say. I never figured it out in percentages. I knew it was a great deal.

Q. I want to get something more definite than "great deal." Would you say it was more than 25 per cent? A. You would like to have a comparison between the capacity of the various

stations under the 1911 plan submitted by the railroad company, and the 1916 plan agreed upon by the City?

Q. Yes. A. We can get that.

Q. When you prepared that 1911 plan, you must have had in mind a certain number of cars per day that you anticipated handling through these terminals daily? A. We knew to begin with, what we are handling now, and we had to estimate on the increase that would come, if better facilities were provided, and more tracks.

Q. What is the number of cars you are trying to handle now?

A. I would have to get that for you.

Q. Will you supply us with that data? A. Yes.

Q. I would like to have it cover not only the number of cars being handled now, but the number of cars your engineers estimate could be handled under the plan of 1911, and the number of cars which could be handled under the plan agreed upon in 1916.

A. We can give you that pretty accurately, Mr. Commissioner.

By Chairman Van Benschoten:

Q. Mr. Place, I assume you do not consider the present facilities adequate for the business of the New York Central? A. I certainly do not, nor for the needs of the shippers that depend upon them.

Q. Can you state what proportion of the freight which comes into the Island of Manhattan is brought by the New York Central? A. I can give you a pretty good estimate.

By Commissioner Ainsworth:

Q. Do you mean by water or rail? A. I cannot give you by water.

By Chairman Van Benschoten:

Q. Brought in by water—I mean, what had to come to the City by railroad or by lighters. A. For the whole port of New York, which includes Edgewater and the Jersey shore and Manhattanville, and the Manhattan side and Brooklyn and Staten Island, the percentage of traffic moving to or from Buffalo, Erie, Pittsburgh and West thereof, by the New York Central, including its own lines and the West Shore, handles 23½ per cent. of the total at the port.

By Commissioner Beard:

Q. Is that for this year, last year, or for a period of years?

A. That is very recent. I could not say just what year. It is very recent. We think it is practically present figures. For Manhattan Island figures, to and from Buffalo and the West, we handle about 30 per cent. of the westbound, and 33 per cent. of the eastbound.

Now, if we include both, as far as the port itself is concerned, and as far as Manhattan Island is concerned, what might be called local, east of this point, our traffic would be larger. This does not include traffic from Syracuse, Rochester and other points near there.

By Commissioner Stafford:

Q. No traffic arising in New York State? A. Nothing west of Buffalo.

By Chairman Van Benschoten:

Q. Have you figures which show the number of tons of freight which come into the City of New York over the New York Central Lines? That is, per year, or through a given period of time?

A. I have had prepared two statements; one is of inbound tonnage handled at New York stations, in the Boroughs of Manhattan and Brooklyn, for the year ending December 31, 1916, and I may say that Brooklyn means simply what we handle at Wallabout Basin, which is not a large amount, 67,844 tons.

Now, I have had that divided into not only classes of freight but as between each one of these stations. Now the classes are perishable foodstuffs, and you will find after each term a definition of what it covers. It says here "Perishable foodstuffs include, fruits, vegetables, agricultural products, livestock, dressed meats, poultry, game, fish, eggs, packing house products and products of animals." That is one class.

The other classes are "other foodstuffs," for No. 2.

No. 3 is building material and machinery.

No. 4 is household goods and vehicles.

No. 5 is manufactures.

No. 6 is miscellaneous.

Those are the classes. Then that is divided between Inwood, a small station we now have, and which we proposed to enlarge in 1911, but it was wiped out.

At 130th street, that is Manhattanville; at 60th street, at 30th street, St. John's Park, at 42nd street, at Desbrosses street, at Franklin street, at Barclay street, at Pier 4, East River, at Pier 34, East River, and at Wallabout Basin.

Now, opposite each one of those stations we give the tonnage of these various classes of freight. The first one is milk and that comes to 130,000, at 130th street station. The second is given, in each case, and under each class. Now, the total tonnage of all these classes, at all of these stations, inbound tonnage, is 3,330,443. There is to be added to that additional tonnage handled on account of railroad company's freight, 150,000 tons, and additional tonnage handled on account of rehandling reconsigned freight, 539,042, and some additional tonnage handled south of 30th street yard, to industries from connecting lines, that is all foodstuffs, amounting to 23,000 tons, making the total of inbound tonnage handled, 4,042,485 tons.

Now, we have approximated for this purpose, the tonnage handled by the West Shore, and that amounts to 589,325 tons; so you take that out, and it leaves what is handled by this line.

Now, you will note that all of the first three classes, which are all foodstuffs, there is approximately one and one-half million tons of them. In other words, about fifty per cent of this inbound freight, leaving out certain items, is about 50 per cent. That is the milk, foodstuffs and everything. Bear in mind that the 12,000 miles of the New York Central System runs through almost entirely a food-producing country, grain, corn, butter and dairy products, and the percentage of that class, and other high class freights such as dry goods, and so forth, is high on the New York Central as compared, say, with the Pennsylvania, whose percentage of the products of the mines is higher than ours.

I have another statement of the outbound tonnage of the same class, except that milk has disappeared, so it reduces it by one class; so using the same stations, and making the same deductions on account of the company freight, and so forth, it shows a total tonnage of 1,179,403 tons. The deduction on account of railroad

company freight is 80,000; and additional south of 30th street, 17,750; and West Shore, 215,433.

By Commissioner Ainsworth:

Q. Leaving how much? A. You take 215,432 from 1,835,653, and that is practically what it will be. I will offer this in evidence.

(Papers received and marked "Commission's Exhibit No. 21" and "Commission's Exhibit No. 22" of this date, respectively).

By Commissioner Rounds:

Q. Does that mean all the incoming freight, or incoming freight to Manhattan Island being floated from the West Shore, is only 500,000 out of 4,000,000, and the outgoing in about the same proportion, although the figures are reduced? A. Yes. The reason is we operate the West Shore and the New York Central as one railroad.

Now, there is a connection between the main line of the New York Central just west of Schenectady and the West Shore, at Hoffman's, so that a carload of freight leaving Buffalo for New York will go either via Albany and down the New York Central, or it will cross over and go down the West Shore to Weehawken. The general proposition is not to send to Manhattan Island over these tracks any more than is necessary, that is, what is not needed here. For instance, our export trade, if it is destined for Jersey City and Brooklyn or Long Island, it will go by the West Shore, as far as possible. It has to be lightered now; and these high class goods are sent straight.

Q. Then that 500,000 coming over the West Shore is freight which, if you had proper facilities in Manhattan Island, would come down the east side of the Hudson river? A. Some of it would come down to local points along the Hudson river, but almost necessarily it would go by the West Shore.

Q. Now, then, if you had the proper facilities here, what additional freight would you bring in and send out other than what you bring in and send out now on your two roads; that is, if you had proper facilities here, would the volume of freight coming down the east side of the river, would that be speedily increased? A. I think so; and of course it would increase further with the

growth of the city. If the kind of facilities might come, those that should be provided here, it would promptly increase the tonnage of this high class freight.

Q. That is, practically all would ship over your lines that now ship over the Pennsylvania? A. No, sir, not necessarily. But this territory on the west side, it is a Sahara today, and it could be developed for the kind of traffic which needs to be on the track. Now, the freight rates are the same to Albany. One of the greatest possible economies today is this saving of extra movement of freight and this cartage.

One of the biggest concerns around this harbor — I know two of them — one of them is anxious to locate if they can get these facilities. Take the National Biscuit Company, they have our tracks, and if they did not have them, they would move off of Manhattan. Now, the point is this: A large amount of freight of various kinds comes to one of these stations, but it is not ready for delivery, and part of it is to go to one purchaser and part to another, and storage is required. They now load it on a car and switch it to some warehouse, one, two, ten or twenty blocks away. That could be saved, if it could be moved up to a warehouse over the tracks. Very often they may sell that freight to Peekskill, and it has to be carted back to the same station and shipped on the New York Central to Peekskill. That is a second item which could be saved.

I have some figures on that, and I asked one of our title people to get some figures on those items. But I had responses to that from about 15 large shippers here. I wanted to know something on the line Mr. Commissioner asked about the cars.

Now, these lighters, about them I wish to say that I sent out about 15 of these letters to various people, and some of them gave me what it cost them a car for cartage. And they gave me also, several of these firms, the total which they spent in a year. Some of them estimated what they could save if they had these sort of facilities.

By Chairman Van Benschoten:

Q. What do you mean by these sort of facilities? A. Warehouse facilities right over the tracks.

By Commissioner Stoddard:

Q. Like your 1916 plan? A. Yes.

By Commissioner Miller:

Q. All of this to be trucked over the street? A. Yes.

Q. Now, would it be possible to locate other freight yards in the city, so as to be nearer the point of use of the freight so it would not have to be trucked? A. Much trucking could be saved..

By Commissioner Rounds:

Q.. Would you consider the plan of putting small terminals throughout the city, a wise and important plan? A. We are following that plan to quite an extent, and we propose to extend it and use a station at Inwood, at 130th street, at 60th street, at 30th street and at Canal street..

Q. I mean to go inland and establish small terminals inside?

A. How would it be practicable to get tracks across the city?

Q. Would that work great economies, or is it practically a small matter? A. It would depend on the ease of getting your trucks there. You would have to consider the financial aspect and the municipal conditions to determine it.

Q: If it could be done financially, it would be an advantage to take away this trucking? A. The nearer you can get the car to where the freight is to be delivered at its destination and also at its point of origin, the more can be saved.

Q. Have you considered what could be done in that way? A. Yes.

Q. And located some terminals? A. Take this big yard you see at 30th street, from 30th to 37th street is seven blocks; three from Seventh avenue to Tenth avenue, making ten blocks. Now, our proposition is instead of keeping the streets blocked, we propose to open those streets and have a double-deck instead of one deck, and then over this you can build warehouses, ten or twelve stories over those tracks. We will do what we have done at the Grand Central. We have learned that we could divide horizontally as well as vertically.

Q. But you had not planned for small terminals back of the shore? A. No; nothing east of Tenth avenue.

By Chairman Van Benschoten:

Q. Mr. Place, I can see we are not going to be able to cover all the ground we want to in a three hours' session, and three hour sessions are tiresome; would it be possible for you to come tomorrow afternoon? A. Yes.

Q. And if that is so, after answering this question you have now in mind, we will adjourn. A. Yes. Then we have two questions.

By Commissioner Todd:

Q. In connection with these cars and this tonnage, there is 4,500,000 tons goes down on the Central; about 3,453,000 tons and then the outbound total is 1,780,000 approximately. Do I understand that it all goes south of Spuyten Duyvil on that West Side road? A. Yes; it all moves there on that road.

Q. You are not including any lightered freight on that? A. No, sir; we have taken that out; it approximates near 500,000 tons, and was 200,000. You will see how we have done it.

Referring to the two exhibits, No. 21 and No. 22, in addition to these tonnage figures shown, there is handled there, inbound, 13,317 tons inbound American express cars, and 13,075 outbound. Now, a considerable portion of that express matter is foodstuffs. The nearest opinion I can get is about 20 per cent of the inbound, and not so much outbound. I will say that these two exhibits will appear in the memorandum which is to be submitted later.

Now, then, in regard to this other matter on the cost of cartage: From these shipments we have estimated the actual cost ranged from \$1,250 per annum up to \$120,000 per annum as the cost of cartage. Between these figures, one firm states they spent \$40,000, per annum for cartage; another, \$25,000; another \$20,000; and another \$12,000; and another \$5,000. Now these fifteen firms which we wrote to, we invited four of the larger ones, and one of these firms estimates that with proper connections to warehouses, it could save on cartage \$44,000 per annum; another, \$20,000; another, \$6,000; another, \$5,100.

By Commissioner Beard:

Q. What is the percentage of saving? A. I think that \$45,000 was the one who said it cost them \$120,000; \$45,000 out of

\$120,000. I have seen it stated that the total cartage in New York City cost \$50,000,000 a year.

Chairman Van Benschoten.— That is the total.

The Witness.— Of course, the New York Central cannot construct facilities to save this haul. What does that mean? It means we could save a lot. The freight charges by rail on a car of merchandise of the general character — these people handle various things, and all high class freight, the general character of freight handled by these firms would be approximately \$50 from Buffalo to New York. So that the cost here on such freight is approximately 60 to 80 per cent of the cost of moving it from Buffalo to New York, a distance of 440 miles. That is one of the things we are after. That is not all of it.

Now, one element of cost is the delay at these places. With these antiquated facilities you go to St. John's Park and see the congestion there. Now, then, in order to get a little something tangible, we had on December 11th, 1917, an actual count of trucks arriving at St. John's Park for freight and also those arriving with freight; and the record was kept between the arrival of the truck at the station and the time it reached the platform. It was found on this date that there were 376 trucks, with a total delay of 3,374 hours. It was made up as follows:

One-horse trucks, 1,453 minutes;

Two-horse trucks, 1,711 minutes;

Motor trucks, 210 minutes.

Allowing a value of one dollar an hour for the one-horse trucks and two-horse trucks; two dollars, for motor trucks, it would be \$59.73, which on a basis of 300 working days equals \$17,919 per annum of loss, all or nearly all of which might be saved.

By Commissioner Ainsworth:

Q. That does not mean on lighter freight? A. No, sir; just the freight at St. John's Park which has come over these rails we are talking about. Now, those figures are moderate, as is evidenced by the count which the New York Team Owners Association made, and on their basis it was \$25,975 as compared with \$17,919. Those losses by delays are reflected partly in the figures I gave you.

I have two or three photographs which were made, showing the situation there, showing the congestion.

Commissioner Beard.— We would like to develop to-morrow as fully as possible, the tremendous congestion here, and the urgent necessity of having something done on a big scale.

Chairman Van Benschoten.— We will now adjourn until two o'clock to-morrow afternoon, and Mr. Place will continue as a witness.

(Whereupon, an adjournment was taken to to-morrow, Thursday, December 20th, 1917, at two o'clock p. m.

THE COMMISSION TO INVESTIGATE WEST SIDE CONDITIONS

Chamber of Commerce, New York,

December 20th, 1917. 2:00 p. m.

Met pursuant to adjournment.

PRESENT:

Parties as before.

Chairman Van Benschoten.— Whenever you are ready, Mr. Place, we will begin. Take your time, but when you are ready, we will begin.

Ira A. Place was recalled as a witness, and having been previously duly sworn, testified further as follows:

The Witness.— Mr. Chairman, someone asked me if I could get a copy of the opinion of the Corporation Counsel of May 28, 1909. I have that copy. This is it. (Produces paper.)

Chairman Van Benschoten.— I thank you.

The Witness.— That is one in response to a resolution asking the corporation counsel to advise the Board as to our rights. That was given just before the suit was instituted.

By Judge Clark:

Q. Mr. Place, I understand you have several matters which came up yesterday, which you would like to bring up at this hearing? A. If you please. There were several questions asked by the Commissioners, and in response to which I said I would get the information.

Mr. Rounds asked me at the close of the hearing, referring to the matter of payment for right-of-way along to the south of Spuyten Duyvil, if I could give the number of parcels and the total money cost. I have obtained from our real estate department, information that there were 101 parcels, and that the total cost was \$116,463.25. I may say from my general knowledge of the deeds, some of which I have had occasion to examine from time to time, that this money consideration would not mean all the considerations, as there were various covenants on the part of the company as to what it would do to restore the land, and various things of that kind.

By Commissioner Rounds:

Q. Can you classify that in any way? Can you tell how much is above 72d street, and how much is below 72d street? That is, how much is in the way of title, and how much in the way of purchases you make below 72d street? A. They are all purchases.

Q. That is so? A. Yes; this does not include anything except the right-of-way. It does not include anything for stations.

Mr. Commissioner Todd asked me if I could give them some comparison, as I understand, between the present capacity of these stations, the capacity of the 1911 plan which we submitted, and the capacity of the 1916 plan.

By Chairman Van Benschoten:

Q. When you speak of stations, do you mean the yards? A. Freight stations and yards, is perhaps a better designation.

Now, I have those in terms of car capacity, and our platform area and tailboard space. The percentages we have not worked out, but if you have the figures, you can work those out. We have hurried in the preparation of these.

We took the South Terminal, which is St. John's Park, and the present capacity in cars is 80. The 1911 plan gave a car capacity

of 332. The 1916 plan of South Terminal, which is at Canal street, is 235 cars.

Now, the platform areas at South Terminal at present equal 102,500 square feet; on the 1911 plan, 324,000 square feet; on the 1916 plan, 155,700.

Tailboard space, South Terminal, 1,420; 1911 plan, 6,850; 1916 plan, 2,950.

Now, the next one north is the 30th street yard. At 30th street yard, the present car capacity is 1,347 cars; the 1911 plan gave 1,689; the 1916 plan, 1,540. That does not average so much.

Would you like me to give the area of the platforms?

By Commissioner Todd:

Q. I was particularly interested in the number of cars. A. The car capacity?

Q. Yes. A. Well, then we can give those in detail, if desired, at any time.

Take the 60th street yard, the present capacity is 2,287 cars; the 1911 plan gave 2,908 cars; the 1916 plan gave 2,686.

Manhattanville yard, present capacity is 470 cars; 1911 plan, 1,746 cars; 1916 plan, 1,019.

Inwood, the present capacity is 11 cars; 1911 plan, 73 cars; 1916 plan, nothing.

Now, if the Commission please, of course, while those car capacities give you some indication of the relative capacity under these three plans, they do not tell the whole story as we think. Both in the 1911 plan and the 1916 plan the yards were so much better planned, and they would be so much more efficient from the railroad's standpoint, of receiving and delivering goods, and from the shippers' and consignees' standpoint, in delivering freight to us and receiving freight from us, that the actual working capacity would be very much greater than indicated by car capacity.

By Commissioner Beard:

Q. On what basis do you figure the relation of car storage to platform area? In looking over the plan, it seemed that you allotted much more space at Manhattanville as compared to the platform area, than you did at 30th and 60th streets. What is the basis of that? A. Professor Beard, I am told that the 1911 plan

was made to meet what was suggested by many people at that time as the market needs at that point; and that was dropped out of the 1916 plan.

Q. The larger storage space as compared with platform space, was due to the market? A. Yes.

By Commissioner Todd:

Q. This car capacity was for what period of time? A. That is estimated, taking the length of the car, and as I say, it does not give the actual capacity as some cars may —

Q. One moment, please. I do not mean that. You said that the number of cars at South Station is 80 at the present time, and 332 in 1911, and so on.

The Chairman.— That is under the 1911 plan.

Q. Yes. Now, for what period of time is it, for one day? A. No; it is for the capacity of the tracks to hold the cars; car space on tracks.

Q. The track capacity? A. Yes, sir, the track capacity for so many cars.

There is another matter which Professor Beard asked to have followed up more or less, and that is the subject of congestion at the terminals, and I thought perhaps it might give you some information to give you the cars. I have taken the file out of the operating department to show you the cars held up here, either in the electric zone, which extends to Harlem, or what is held up back of that in some instances on the Harlem Division, which cannot be moved in here.

November 14, 1917, on the electric portion of the Harlem Railroad, Hudson Division, there were 998 cars.

By Chairman Van Benschoten:

Q. These cars were waiting to come down to the terminals on the West Side? A. Yes, sir, possibly, and held on side tracks. It was all for the West Side.

November 13, 1917, there are 1,068 cars. November 12, 1,292 cars; November 10, 1,389 cars; November 8, 1,154 cars; November 5, 1,292 cars; November 6, 1,473 cars.

Q. Can you give us any approximate idea of how long the cars stand there awaiting opportunity to get in? A. Some of them wait there from five to thirty days. I have two operating men here, and they say from five to thirty days.

By Commissioner Stoddard:

Q. Is that a condition accentuated by the war, or because of the lack of facilities here generally? A. That condition is practically all the time. Of course, war conditions emphasize and increase it some. I am testifying to these matters simply as a matter of expedition.

By Chairman Van Benschoten:

Q. Mr. Place, I wonder if your assistants can give you an approximate idea of the number of cars that might have been thus held immediately prior to the war? That is, only approximately. You would have to give your best recollection of it, but we would like a factor coming to us unaffected by the war conditions. A. In times of good business, I should say it would be fifty per cent less. Of course, the war conditions and the shipping conditions have aggravated the conditions very much.

By Commissioner Stoddard:

Q. I take it then, from what you have testified, Mr. Place, that the present New York Central terminals on the West Side are now being used at the maximum? A. Absolutely.

Q. And how long in years has that condition existed? A. I should suppose it has existed from ten to fifteen years, at least.

Q. Well, during that ten or fifteen years — A. I should say from my general knowledge, it would be at least fifteen years they have been inadequate.

Q. During that fifteen years, the amount of freight which has been brought into New York city over your road and other roads, has been increasing, has it not? A. Oh, yes, very largely. If you will take the last two or three years and this is more or less affected by war conditions, but it is a general thing, but the gross earnings indicate that the traffic carried has been increasing very largely.

Q. So, as a result of this lack of terminals, the New York Central has not obtained its share of the increase in the freight

coming in to New York; has it? A. Whether it has obtained its share or not, I should say it has not obtained as much as if it could handle it better. It has been handled under great difficulty, both from the standpoint of the railroad company and the shippers.

By Commissioner Stoddard:

Q.: The service has not been performed as effectively as it would have been had they had adequate facilities? A. No. My answer is no. You take certain things,—hay, for instance, which is handled at the 30th Street yard, and of course a great deal of it used to come. Now, most of it is milk, as the farmers in the Rome & Watertown territory have wisely gone into milk production to a much greater degree than they used to, as we can bring it from Rome and Watertown to New York on passenger train time, and in splendid condition. The Board of Health Commissioner told me once that we got the milk from that country in better condition than we did from Harlém. But take the hay proposition from Northern New York on our lines, and westerly points; they are very much handicapped in getting it here, and a great many times the seller of hay instead of getting as he expected to when he started his carload, a good price, his hay is delayed and delivered to the commission house late, when it is too late to get a good price. By the time it gets here, the price has dropped down.

I just want to say in response to Prof. Round's remarks of yesterday, one or two things in regard to this question of the term of fifty years, that question had been decided by the courts of this State several times, and prior to this suit, against the city. It had arisen in various forms. Take, for instance, the constituent companies of the old New York Central between Buffalo and Albany, they were, except one or two, organized under special laws, and there were similar limitations on the corporate life.

Now, the Miner case, where that railroad condemned the property, exercising the right of eminent domain, when the fifty years were up, the original owners said, "The time is up; it is our land now."

The Beale case is a similar one.

Now, the Miner case, which is reported in 123 New York, 242,

the Court said, at page 249: "The land was to be taken for a permanent public use. It could not have been understood or expected that the railroad could be operated for the accommodation of the public for fifty years and then, after the necessity for it had been greatly increased, it should disappear."

And again: "It is the experience of mankind that such quasi-public corporations never cease, never come to an end, by mere effluxion of time."

Now, there are other cases in which the same question is raised, — Perry against New York Central, 57 Howard's Practice, 440; New York Central versus Untermeyer —

Commissioner Ainsworth.— Those appear on your brief there, and were called to the attention of the Court?

The Witness.— Yes.

By Chairman Van Benschoten:

Q. Does that cover the various matters you had in mind, Mr. Place? A. Now, to answer the question of Judge Clark, I want to say, as far as our rights are concerned here —

Q. I would suggest that you leave that until a little later. A. All right. There is one other thing. As I stated in my memorandum, we admit and say and allege that these yards and terminals are not as they should be, either from the view point of the railroad or of the shipper, and it has been practically impossible for the New York Central to increase these during this West Side agitation.

But we are doing now whatever we can by way of makeshift.

Recent modifications and additions have been made to the West Side freight houses, mainly of a makeshift character, to assist in relieving the overcrowded conditions.

At 32d street, inbound freight house, is crowded to an unbearable extent; and therefore the old West Shore hay shed at 36th street, which has heretofore been used for receiving automobiles, is to be taken for a supplemental inbound freight house, and approximately \$5,000 has been spent in modifications. The automobiles are now embargoed at this point, and all other points on Manhattan Island, and hereafter will be handled at Kingsbridge. This will nearly double the inbound house capacity, but is not the

most desirable arrangement, because of the business being separated. It is a makeshift.

Another: A 50-car set-off siding, just north of Fort Washington park, was completed in September, to add to the facilities for holding cars, which the freight stations cannot absorb, as near the point of delivery as possible. The cost of that is approximately \$13,000.

Another: Existing yard tracks were increased at Croton for the purpose of holding the cars which cannot be absorbed by the freight stations on the West Side. The additional capacity is 408 cars, making a total capacity of 821 cars. The approximate cost of that is \$54,000. This work was completed in July, 1917.

Another: Now, two additional team tracks along 30th street, which will give an increased capacity of 22 cars, at an approximate cost of \$12,500 are about to be authorized, and requests made to the Borough President's office for permit for modifying the sidewalk paving adjacent to them.

Another: On account of the limited express facilities, a modification is now under serious consideration to increase this facility. The property cost will be in the vicinity of \$80,000.

All of this money is thrown away except for the immediate relief of the congestion.

Another: Application was made last July for a permit to extend the bulkhead at the foundry yard, 145th street, to provide about 290 linear feet of additional lighterage space on the river, in order to help out the 60th street yard situation; and also the main line conditions between 145th street and 60th street. The company has been unable to get the permit to date.

On account of the excessive difficulties of handling the business, the entire territory is continually under consideration, and wherever modifications of the character indicated above can be made, an effort is made to improve the condition. So far as can be determined at the present moment, however, little or nothing more seems possible; so it can be fairly said that the facilities have reached their limit of capacity for handling business.

By Judge Clark:

Q. Mr. Place, for the sake of getting consecutively upon our record the history of the treatment of this problem, I would like

to ask you to state briefly what has occurred since the Ottinger bill, chapter 719 of the Laws of 1917, became a law? I understand that after that Act became a law a new committee was appointed under the law called the Joint Conference Committee, consisting of the Public Service Commissioners Hervey and Whitney, and Messrs. Connolly, Van Name and Marks, of the Board of Estimate and Apportionment. That is correct, is it not? A. That is correct, with the exception that Commissioner Hodge was the original chairman, and he went to the war, and Commissioner Hervey was substituted as chairman.

In regard to that committee, I will say that is provided for in the Ottinger bill, which simply authorizes the creation of a Joint Conference Committee, and it says nothing as to who it is to confer with or what it is about. It has a membership composed of two members from the Public Service Commission, and three from the Board of Estimate and apportionment.

Q. The original members of the Public Service Commission were Commissioners Hodge and Hervey? A. Yes.

Q. And after Commissioner Hodge went abroad, it was Commissioners Hervey and Whitney? A. Yes.

Q. What took place after the appointment of the committee? A. Under date of June 11th, 1917, a letter was addressed to the New York Central Railroad Company, by Commissioner Hodge.

Q. June 11th or June 18th? A. June 18th, it is.

Q. I show you a pamphlet marked "Report of November 20, 1917, by the Joint Conference Committee to the Board of Estimate and Apportionment and the Public Service Commission for the First District." On page 9 of that pamphlet there appears to be a copy of a letter bearing that date such as you have described. Is that the letter? A. That is a copy of the letter.

Judge Clark.— I would like to have that marked in evidence.

(The letter on page 9 referred to in the preceding question was marked "Commission's Exhibit No. 23," of this date.)

Q. Just what was the next step after the receipt of that letter? A. That letter was referred to me, and I replied under date of June 20, 1917, to Mr. Hodge.

Q. I show you the same pamphlet, at page 10. Is that a copy of your reply? A. I presume it is. Yes, yes.

Judge Clark.—I would like to have that marked in evidence.

(Page 10, pamphlet referred to, marked "Commission Exhibit No. 24," of this date.)

Q. Then what happened, Mr. Place? A. The conference invitation which I had accepted, was had the next day after my letter was written; and there were present all of the members of the Joint Conference Committee, and also Chairman Straus and Commissioner Whitney, Judge Ransom and Mr. Adams, who was the secretary, and myself.

Q. And what occurred at that conference? A. The matter was talked over generally, and some offer was made to take up the 1916 plan, and I said no. I said, "You have condemned that plan"—this is in substance, of course—"You have condemned that plan. You are public officials; and having some responsibility in the matter, and when you condemned it, you must have had some better plan in mind. What was it?"

Well, after more or less discussion, it was practically intimated that they had not found much fault or criticism with the physical plan. I said, "Very well. Assume you have no criticism of the physical plan; then your criticism must have been directed to the terms. Now, what are your terms?"

Someone suggested that that was a fair question, and they adjourned a week to formulate their terms.

Q. What was the next you heard from that? A. The next I heard about the situation was on or about October 6, 1917, except that we had been asked for various information, maps, and one thing and another, which we had undertaken to furnish, and on October 6th I received from the chairman of the Joint Conference Committee the so-called Tentative Proposal.

Q. Can you tell me whether the pamphlet I show you is a copy of that? A. Well, Judge, I have no doubt it is; but I would not be able to testify on that point. I presume it is.

Chairman Van Benschoten.—Mr. Hervey will answer that.

Q. What did you do after receiving these tentative proposals?

A. About October 6th I gave out a public statement and sent it to the Commission and I sent it to the press.

Q. Have you a copy of that public statement? A. Yes. It is in my pamphlet and covers the last part of page 20, the solid matter on the first half of page 22 on these galley sheets.

Judge Clark.—I ask to have that marked Exhibit 24a.

(The pages referred to were marked "Commission's Exhibit 24a" of this date.)

Q. We have marked it as indicated, Exhibit 24-a. A. Very well. I can furnish you a separate copy of that, I think. This is it. (Producing paper.)

Q. Then what happened, so far as the railroad was concerned?

A. The next was a communication from the chairman of the Joint Conference Committee, which I believe was addressed to the company for the attention of Mr. Place; it was an invitation of the chairman to attend a conference at his office.

Q. When was that? A. I do not know when I received the letter, but it was prior to October 30, and the conference was at Mr. Hervey's office, October 30, 1917, and on that day at his invitation, I went to his office and there were present Commissioner Hervey, President of the Borough, Marks, President of the Borough, Connolly; and I was handed a pamphlet entitled: A. preliminary draft of an agreement between the city of New York and the New York Central Railroad, purporting to set forth in contract form the tentative proposals of the Joint Conference Committee.

Anything done under this Statute of 1911, as far as any agreement is concerned, is based on plans and profiles. And I asked for the plans and profiles on which this proposed agreement was to be made. None were produced; I never saw any except some sketches which were furnished in regard to proposed station terminals at Manhattanville.

Q. Prior to this meeting of October 30, was there any public hearing to which the railroad received any notice? A. Prior to what?

Q. This meeting of October 30th, to which you have referred?
A. I think there was a hearing on the tentative proposals, yes. There was a public hearing. I do not know whether I had official notice or not; but I did not attend. On the 18th of October a meeting was had on the tentative proposals.

Q. And you received a notice of that hearing on the 10th of October? A. Yes; that is right.

Q. Then what happened, Mr. Place, after the meeting of October 30th — and before we leave that, did you attend that meeting on the 18th of October, or send any representative of the railroad?
A. No.

Q. No representative of the railroad was present? A. No.

Q. What happened after the meeting of October 30th, to which you have referred? A. The next was the receipt of a letter from the chairman of the Joint Conference Committee on November 15th, 1917, which starts out by saying, "The Joint Conference Committee created by the Board of Estimate and Apportionment and the Public Service Commission, pursuant to the provisions of Chapter 719 of the Laws of 1917, contemplates the submission of a report to the Board of Estimate and Apportionment on November 24th."

Q. I show you the same pamphlet which I have used before, with a letter, under that same date. Is that the letter to which you have referred? A. Yes.

Judge Clark.— I ask to have it marked in evidence.

(Letter referred to marked "Commission's Exhibit No. 25," of this date.)

Chairman Van Benschoten.— That is a letter to the New York Central Railroad Company, signed by Commissioner Hervey of the Joint Conference Committee, dated November 15, 1917.

By Judge Clark:

Q. Did you reply to that letter? A. I did, under date of November 16, 1917.

Q. I show you a letter from the same pamphlet, on page 5. Is that a copy of the letter? A. That is right.

That is addressed by me to the Hon. Charles S. Hervey, chairman of the Joint Conference Committee, and is signed by me as vice-president.

Q. And dated November 16, 1917? A. Yes. And closes with this language: "That language accurately states the position of this company. Yours truly, Ira A. Place, Vice-President."

Judge Clark.— I ask to have it marked in evidence.

(The paper was marked "Commission's Exhibit No. 26," of this date.)

Q. What was the next you heard of this? A. The next I heard was under date of November 20, 1917, the Joint Conference Committee transmitted its report to the Board of Estimate and Apportionment, with the recommendation that the Board repeal the ordinance of 1847. That request, as I am advised, was referred by the Board to the Corporation Counsel, and under date of November 30, 1917, he rendered his opinion, the conclusion of which was read by the mayor to the Board on that day, as follows:—

Judge Clark.— We have that opinion. You need not read it.

By Chairman Van Benschoten:

Q. Has anything been done since that time, by the railroad company? A. No, sir.

Q. No conferences nor negotiations of any kind with the Joint Committee, or with the Public Service Commission relative to this matter? A. No, sir.

By Judge Clark:

Q. Now, from these letters, Mr. Place, I understand that the company objects to taking any steps under the Ottinger bill. Will you state briefly, so we may discuss your letter, the grounds of your stand in that respect. A. The so-called Ottinger bill became a law as chapter 719 of the Laws of 1917. The Ottinger bill was introduced into the Legislature, very early in the session, and at some date during the session, a public hearing was held on that bill in the Senate Chamber, at Albany. I attended that hearing and opposed the bill on the part of the Central, and it

was attended also, on behalf of the city, by one member of the Board of Estimate and Apportionment, and by a representative of the office of the Corporation Counsel, as I remember it, in opposition; and various commercial and civic bodies were represented.

As I remember it, there were representatives from the Chamber of Commerce and the Merchants' Association, the Harlem Chamber of Commerce and the Citizens Union, opposing that bill.

By Chairman Van Benschoten:

Q. Do you consider it of sufficient importance to go into this detail? The bill was passed. Now, what are your objections to it? A. The bill was not passed.

Q. If you think it is of sufficient importance, go through this matter briefly. A. Public hearing was had on that, and it was threshed out, and it fell by the wayside. Before the bill, which became this law, chapter 719, was a substitution for the original Ottinger bill. No opportunity was ever given for a hearing on that before either House of the Legislature. It is entirely different from the original Ottinger bill. It took the form of amending one section of chapter 777 of the Laws of 1911.

By Judge Clark:

Q. That was section 7? A. Yes, that was section 7.

Now, under that amendment, three things were done: First, it made it necessary to have the approval of the Public Service Commission for the First District, of any agreement, instrument, plans, profiles and drawings before they became binding and effective. Second, with respect to compensation to be paid by the railroad company to the city, it made it mandatory that such payment should be for any right to use the streets, should be a sum or rental prescribed in said agreement. And it provided for the adjustment of the amount of such sum or rental at the expiration of the period of 25 years, and for readjustment from time to time in the future of the amount of such annual payment at intervals of not more than 25 years.

And, sir, it provided that such sum or rental shall not be considered in any manner in the nature of a tax, but payment of the same shall be made in addition to any and all taxes of whatsoever

character or description then or thereafter paid by any resolution of the Board or any ordinance of the city, or any law of the State of New York.

Those three things were new matters under this amendment. My recollection is those were all the important ones.

The Act then added section 15-a, and provided in case no agreement was reached on or about December 31, 1917, certain other action should be taken.

By Judge Clark:

Q. What was the objection of the railroad company as to the first suggestion, as to the approval of the Public Service Commission? A. On the face, we had no objection. Practically it was impossible, as things stand.

By Commissioner Todd:

Q. What do you mean by "as things stand?" A. Assuming the views of the Commission are stated in the tentative proposal and proposed agreement.

By Judge Clark:

Q. Now we will skip to the third provision, as to the rentals not being considered a tax, but to be paid in addition to all taxes. Answer that next, if you will. A. The objection to that is this: And in order to appreciate the objection, you must recall the purpose for which the special franchise tax was enacted. Now, I happen to know something about the gentlemen who were in favor of that tax, and the theory upon which they worked; and as I understand it, their feeling was that there were certain public service corporations like the street surface railroads and gas companies and electric companies and companies of that character, who had obtained rights in the public streets which either were at the time they were obtained, valuable, or had become valuable after that time.

Chairman Van Benschoten.—Mr. Place, we have a good deal of ground to cover. I have before me now a brief of yours on this very matter, which is a very excellent brief on those very questions; and if you would not mind, I wish you would confine yourself to the objection asked for.

The Witness.— The objection is that it makes us pay twice, as distinguished from all other corporations in the State, of that kind.

By Chairman Van Benschoten:

Q. Now, just how does it make you pay twice? A. This so-called special franchise tax is not a tax, but it is compensation. It was so meant to be. When people who enacted it, and their attention was called to the fact, that here are certain companies who have already paid the compensation, and you should recognize they are meeting this, to some extent, and the law provided that in case any corporation was paying any rental or tax, that should be deducted from this special tax.

By Commissioner Miller:

Q. That is section 48? A. I think so.

By Commissioner Beard:

Q. Does that apply to this new railroad, the New York, New Haven and Hartford? A. I do not know.

By Chairman Van Benschoten.— Your objection, in a word, is that the railroad has to pay twice?

The Witness.— Precisely. They proposed to charge us the rental which we suppose will be a co-rental, and then, by the way of this special tax, make us pay again.

By Chairman Van Benschoten:

Q. Mr. Place, yesterday we were discussing the character of the rights and what public authorities had control, and what the nature of their control was over the road, and its rights along the west side; and, in reply to a question which I asked you, you said the ordinance of 1847 had nothing to do with it further than that it gave the railroad permission to come in and lay its tracks along certain streets. Now, do I understand you correctly, that it is the contention of the railroad, that the only public authority which has any control or authority over the New York Central, so far as its rights on the west side may be, is the State of New York? A. Yes.

Q. And I understand it is the contention of the company that

the city has no authority over it. A. No authority over it, except the ordinary port matters, and such obligations as we entered into under the ordinance, such as paving, and so forth.

Q. But that does not refer to the fundamental rights, privileges and franchises which you claim gave you the right to be there?

A. No; the State is the only power.

By Commissioner Rounds:

Q. And not Congress? A. Not Congress.

Q. Congress has no power to readjust an interstate terminal?

A. No.

Q. If the State should regulate this matter and exercise its legislative power, it could do that without fear of interference from Congress? A. I think so.

By Chairman Van Benschoten:

Q. You have called our attention to the fact that the railroad in its early years, purchased certain parcels of land, and have shown us maps, typical of certain parcels which were bought. You have stated today there were 101 such parcels. A. Originally purchased.

Q. Do you know whether all of those, or what part of those, were within the limit of what constituted Twelfth avenue? A. No.

Q. Twelfth avenue was not laid out when you bought them?

A. No it was a paper street.

Q. It was quite a large portion of them? A. Oh, quite a bit.

Q. Now, Twelfth avenue after the purchase of any parcels which were within the limits of that avenue, had been made by that railroad, was opened as an avenue by the city, was it not?

A. No; except that the city took proceedings under the Act of 1813, to acquire title to the land. Physically, it was never opened in this territory.

Q. But they condemned the rights of the land? A. Yes.

Q. And wherever the railroad had purchased any parcel which came within those limits, it condemned the land of the railroad, subject to its right to use it for railroad purposes? A. Yes.

Q. And award was made to the railroad for such property rights as it had there? A. For such as it took, yes.

Q. So that so far as all those parcels which were originally bought by the Central from private owners, to which you have referred, so far as they lay within the limits of Twelfth avenue, the only right the New York Central has to them is the right to use them as a railroad, the fee remaining in the city? A. I would not say that. It may be true. It is a peculiar situation because of two or three facts. In the first place, while the city did take that for avenue purposes, subject to our rights to be there, it stopped there. It never opened it as a public street, or took any steps to do so. Moreover, the right-of-way curved around and went west of the westerly line of Twelfth avenue, and sometimes it was east of the easterly line. And then, by Statute, all of the portions east of our easterly line had been discontinued by the Legislature, and all of the portions west of our westerly line were discontinued by the Legislature. So all left there are certain pieces or slivers within our line, which went through this proceeding. The awards were never tendered or paid and received by us.

Q. They are there for the railroad today? A. I suppose so. We do not want them.

By Commissioner Rounds:

Q. Why not? A. We do not want them.

Q. Do you consider that your refusal to accept the tender affects the rights? A. I do not know whether that is so or not.

By Chairman Van Benschoten:

Q. Does the railroad company claim it has any right to use that for other than railroad purposes, the fee being in the city?

A. Let me answer that by the position I have taken: I am not going to undertake to say what the strict legal rights are, but I know what the facts are. For instance, when I submitted those maps on September 28, 1911, I knew two things about that right-of-way—I knew that as to those portions of Twelfth avenue there had been this condemnation. I knew that most or a large part of the avenue, had been abandoned. I knew that as to a part of the right-of-way which we had purchased, the land below high water mark, was not vested in our grantors. A good many

of the deeds show that; that is, their warranty does not extend to that.

I knew that not only from my own knowledge, but the question was raised in the suit of the Central Railroad Company against the city. It was not tried; but the question was raised. So you will find on this map a reference in substantially this language as to such-and-such parcels there is a claim on the part of the city. It is to be released under this proceeding.

Now, without admitting the city has a right to that, we have been there sixty or seventy years under a written instrument, and forty years or more since that proceeding ended. I said there is a claim, and I want any claim between the city and ourselves settled once and for all. If it is a claim we can pay, let us settle it.

Q. That was the 1916 plan. Now come to the 1917 plan.—What was this written instrument you were there sixty or seventy years on? A. Deeds.

Q. You do not claim that under the statute of the State which gave the railroad the right to come here that you received any rights to go in? A. No title to land, no. Let me state now and here: There were three steps necessary in order for the Hudson River Railroad to have good title to its right-of-way, that is, three steps as to all that was not in public streets. Take this property up here we are talking about now. First, there was a charter which gave it its corporate life and its right to do these things.

Q. That is the State Act? A. That is the State Act. Next was meeting the conditions imposed as to the city of New York, that we could commence and build on these avenues and streets.

Q. That is the Ordinance of 1847. A. That was the second step. But neither of those gave us any title to land held by proprietors. So, the third step was we had to go to the owner and buy his land, which we did.

Q. And you have that title, unless it has been taken away since? A. We have. But of course as to streets, the Legislature at that time had absolutely an unlimited control over the streets did not have the right to authorize anyone to lay down tracks in its streets.

By Commissioner Ainsworth:

Q. It acquired that right under the Constitution? A. It acquired it later. So that outside of the City of New York, the Hudson River Railroad Company has the right to cross roads and streets without the consent of the municipality. Under our charter, the second step was included under the first; but when you once had the condition to be met by the consent of the City of New York satisfied, then the rights of the Hudson River Railroad Company without any limitation as to time, was vested as to streets.

By Chairman Van Benschoten:

Q. In other words, it is the contention of the company that when the City of New York passed the Ordinance of 1847, and you had made the agreement made under that Ordinance, and had accepted it, that the only thing remaining under the Act was that the railroad was there in perpetuity? A. Yes.

Q. Beginning at Spuyten Duyvil, how far down did the railroad purchase various parcels of land? A. Spuyten Duyvil to 48th street for right-of-way purchases.

Q. And they made no purchases below 48th street? A. No. I think each street or avenue had already been acquired by the city.

Q. Can you tell me how far north the right-of-way of the railroad enters into 12th avenue at all? A. Eleventh avenue, do you mean?

Q. No, 12th avenue. A. We touch 12th avenue at one hundred and fifty something street. I think right through the north of Manhattanville there, it is on some portions of it. On some portions of it it is established there. It crosses the original course, runs diagonally from west to east from a point a little below 135th street, goes entirely east of 12th avenue at 147th street, and is entirely east, as now laid out, it is entirely east of 12th avenue all the way to 153rd street, where Twelfth avenue ends, as I understand it.

Q. Are you familiar with the Act providing for the creation of Riverside park, that is, generally familiar with it? A. I never looked at the original Act, but I know the Acts which provide the easterly and westerly boundaries.

Q. Do you know what the provisions of that Act were, as to the provision of the westerly boundary of the park? A. Yes. That Act made the westerly boundary of Riverside park from 79th street to 129th street, the easterly boundary of the right-of-way of the Hudson River Railroad Company, as filed in 1847.

Q. Do you remember about what year that was? A. I think that was in 1885. That was chapter 496 of the Laws of 1885.

Q. Was there a later act passed in regard to land, or lands under water, west of the railroad track? A. Yes. That Act of 1885 was the one which discontinued all that portion of Twelfth avenue and made that and all other lands between the present westerly line or boundary and of said park, and the easterly line to the right of way, a city public park or place, to the same effect or extent as if the same had been laid out as a public park or place, and as a part of the said Riverside park by the Commissioners of Riverside park.

Q. That was the earlier act, and not the one under which the park was created? A. No, sir; that was an earlier one.

Q. Now, with regard to the land under water and west of it. A. The city owned land under water out far to the westerly right-of-way line of the railroad company. And chapter 152 of the Laws of 1894 devotes that land under water from 72d street to 129th street, to park purposes, with the exception of two parcels which are described, one at or near 79th street, and one at 96th street; and that act devotes all of the land there to park purposes.

Q. Now, those two exceptions, 79th street and 96th street, they were used by the Street Cleaning Department under the Dock Department? A. Yes. There is another act, chapter 442 of the Laws of 1895, which affects this. The title is, "An Act empowering the Comptroller of the City of New York to reduce the assessment levied south of 129th street between 59th street and 153d street, said Twelfth avenue, south of 129th street having been closed."

Now, that is in the title. There is no such specific language as that in the body of the act.

Q. But the City could close it, if it owned it, and not use it for street purposes. That is a fact, is it not? A. I do not get the question.

Q. The City could close the avenue and yet own the avenue?
A. Yes.

By Commissioner Rounds:

Q. Why do you put so much emphasis on the fact that the streets had been discontinued? A. There is so much talk about keeping the avenue open for street purposes.

Q. But not with a view that the discontinuance affected the rights of the City? A. The Legislature said the street purpose is gone —

Commissioner Ainsworth.— That is disposed of in Judge Her-
rick's argument as to the rights the City could acquire for street
purposes. It is only an easement for the public.

By Chairman Van Benschoten:

Q. Does the Central claim any right in land under water on the west side there? A. Are you speaking now of right-of-way, or terminals?

Q. Cover right-of-way first. A. We claim ownership of all the land in the right-of-way, whether originally below or above high water mark; and then at two points, three points, we own land under water. We own land which was originally below high water mark. Is your question directed to waterfront property?

Q. Yes, that is right, waterfront property. A. Take it at the Manhattanville yard during the last few years, three or four blocks were acquired at this point (indicating on map) about 25 years ago; but in the last few years, since we have had the idea of establishing a freight terminal here, we have caused to be purchased all the privately owned lands there, and between 136th and 137th streets, up to 146th street. Those which we have bought are shown by solid red shading, or by shaded red lines on the plans and profiles of 1916. And those lands which were purchased from private owners had theretofore been granted by the City.

Q. With certain reservation? A. Yes; the usual provision in lands under water, of that kind. And then the same, or a similar situation is found at 60th street, where we acquired the lands here, as you see it on sheet No. 18 of the Plan of 1916. All of the lands colored red there have been acquired, and the two blocks of shaded red have been acquired in fee by the company.

Q. Does the company own any piers at 60th street? A. Oh, yes. The piers are built this way (indicating on map).

Q. How many piers are there? One, two, three, four, five, six piers and one float-bridge, built diagonally from the shore line and extending southerly.

Q. Did you lease any piers there from the city? A. We leased certain land under water there. At the time this was colored, this yellow line was leased from the city. There is a certain amount in there, and a certain amount in here (indicating on map). This was all below high water mark, and was regarded as pier property. They made this this way.

Q. There are certain piers which you hold under the city license or permit, from year to year? A. Yes.

Q. How many are there of that kind? A. We had the two leases, with four or five renewals at ten years each; and one from 59th street to 65th, is under the last term or renewal.

The one from 55th street to 72nd street expired since this matter has been under discussion, and it is on a yearly permit now.

Q. How about the 30th street yard; are there any permits there now? A. At the 30th street yard we do not own any piers. We own some bulkheads. We own one-half the bulkheads between 38th and 39th streets, and we own all the bulkheads between 34th street and 37th streets.

Q. Any piers there on lease from the city? A. 36th street pier and the 32nd and 33rd streets piers we leased from the city. We did have a pier at 31st street, but on account of conditions, we surrendered it to the Dock Department.

Q. Have those leases any substantial time to run? A. The pier at 36th street has, with some rights of renewal. The other two piers are on yearly permits.

Q. Going back to Riverside Drive, do you know the purpose of the filling-in which has been going on there for the last few years? A. I do not.

Q. The railroad has no connection with it? A. Absolutely not.

Q. The only interest which the railroad has along there is its immediate right-of-way? A. That is all.

Q. And it is your understanding that under this Act, stating that the land and the land under water west of the railroad shall

be used for park purposes, that that would cover that space now being filled in, would it not? A. It would be that, or the land devoted to dock purposes.

Q. But not on railroad property? A. No, sir.

Q. Do you consider it as an ideal plan? A. No. I think it was a very good plan, but not an ideal plan.

Q. Won't you say "ideal"? A. No. I think the 1911 plan was more nearly ideal than; much more. And from the railroad's standpoint, there are two or three criticisms of the 1916 plan. In the first place, as I have said before, I do not think the capacity of certain of the facilities are sufficient to meet the commercial needs of the City of New York or the State of New York, and all of that part of the United States which is to a greater or less degree dependent upon it. And anything less than what is reasonably adequate is a handicap to the business and prosperity of this city, and this State. And, furthermore, the burdens which are proposed to be imposed upon the railroad under that agreement were, in my judgment, beyond all reason.

Now, let me say that I assented to the provisions of chapter 777 of the Laws of 1911, notwithstanding the fact that it placed upon the New York Central 100 per cent of the expense of eliminating all of those grade crossings and discontinuing the use of the surface of the streets along which we run; whereas, under the general State Law, not only the New York Central, but other lines are competitors of the company, and they eliminate grade crossings, and the State pays 25 per cent, and the Municipality 25 per cent, and they pay 50 per cent.

Now, if that was unfair to the railroad, why did I sign? Well, the conditions are peculiar here. I knew no proper solution of this matter could be found or carried out unless there were radical changes, and the practical rebuilding from the start. In other words, the mere exercise of the power of the State to eliminate the grade crossing proposition, or the use of the surface of the streets by requiring us to depress or elevate our tracks, does not meet this situation.

Now, in view of all those circumstances and my conclusion from my experience in the city, that the city would take the position it should not bear any part of that, I yielded to it. Now there

was no reason for the New York Central going beyond that and paying for a lot of Municipal improvements, whereas, under the 1916 improvement and the real estate progress, we were paying on ten million over and above any balance due to the city. That is the main criticism on this proposed agreement. It was unfair and it was a burden which the transportation interests of this country should not pay. If the city wanted that improvement, they should pay for it. I am not criticizing the city officials; they wanted to do the best for the city; but when I said "If you want those improvements, you should pay for them," they said "We cannot. We have not got the money; and they should be made at the time this railroad improvement is made." And with such constant pressure to do this and that, we came to this plan, which fell by the way, on the passage of the Ottinger bill.

Q. Well, the city gave way on some other things? A. I do not think the city gave way on anything.

Q. You recognize how important it is for the New York Central to secure more adequate terminals? A. Yes. I do not limit it to the New York Central; you should take in the city and the State also.

Q. I was asking about the railroad at this time. A. I have no hesitancy in saying it is good for the company.

Q. You feel inclined to go to these limits that you have mentioned, because you felt it was a necessary step for securing proper facilities for the railroad? A. That is it.

Q. I believe I understand you to say that there had been no substantial change in the terminal facilities for forty years? A. That is substantially right; except one block at 30th street where the station is now.

Q. That necessarily has resulted in loss to the railroad, has it not? A. I think much more business could have been handled with proper facilities.

Q. Probably lost to the railroad, through loss of business, or increased expense to serve the people of the City of New York? A. Yes.

Q. Speaking of the fact that you considered the 1911 plan more ideal than the 1916 plan, the 1911 plan carried the road down the marginal way, did it not, to Cortlandt street? A. South of 59th street, yes.

Q. And the 1916 plan carried it merely down to 30th street, or thereabouts? A. To 30th street yard.

Q. And from 30th street to Canal street it was on a private right-of-way? A. Yes.

Q. How did that come to be changed to private right-of-way below 30th street? A. The city from the start objected to the New York Central building an elevated road along the marginal way, south of 30th street. Of course, the city officials can state their reasons better than I can. They said "Possibly either the city itself may want to build a marginal road for the use of all the railroads, or possibly give the right to other roads to build, and while there was no immediate prospect of that at the present time, they did not want to bar the way to it.

In 1913, we could not get them to agree to that, although I made all sorts of propositions about it. We practically did not solve the question south of 30th street. All the city would agree to would not solve the situation.

Q. That was in 1913? A. Yes. We reached a conclusion to 30th street, but south of 30th street the only thing the city would agree to was a subway. So, to get the thing started, I said "We will show a subway on these plans, but I reserve the right to change our southerly terminal to a point north of St. John's Park." That — we probably would have declined to build the subway there on account of the fact that it would have been too expensive, and not relieve the road if built.

Q. So you think an elevated road is preferable to a subway below 59th street? A. Without any question.

Q. And briefly, your reasons? A. They are not comparable.

Q. Very brief, just the substance. A. In the first place, you have got to consider the conditions on Manhattan island. It is a narrow island sloping off to the Hudson river with cross streets running to the river, and a sewer system running through those streets to the river. The land in the territory on this West Side is very largely land which is made land — being filled in below high water mark. Now, a subway in the first place cuts to pieces all the underground systems, sewers, and everything else, of the city, and gets down below high water mark in the water, and it is extremely expensive, and when it is built, it would be of no value to get to industries.

A great many kinds of freight could not be handled there at all, and all freight has to be lifted or lowered from the tunnel. It does not walk up the stairs as the passengers do, and it is practically useless. Now, on the other hand —

Q. Right there, is there any question of the character of the land down there being filled in? A. A large part of it is filled-in land, and their tracks would be below high-water mark.

Q. All right, go on. A. Now, then, as I say, to handle — a great many people have pointed to the present subways and the success of them, but you carry passengers in the subway — why not freight? Passengers walk down the stairs and up the stairs and freight does not.

Q. And you have given that matter a good deal of thought? A. Yes.

Q. And there is no question in your mind but that the elevated is preferable? A. We did not intend, under the 1913 agreement, if it was a choice between building a railroad in a subway south of 30th street or no railroad at all, there should be no railroad at all. In other words, the practical effect would be that the city would have cut off the railroad at 30th street.

Q. Well, now, in 1913, you offered to let them cut it off there, if they built their own road below there? A. Did I?

Q. Was there not an option given? A. Well, yes, I did. As I told you a few moments ago, I made all sorts of offers. When they said "We may want a Municipal road here," I said "All right; if you want to build a Municipal road, go right ahead and build it now." "We will for a sum" — which I named — "will surrender all the rights we have got down there, absolutely."

Q. Do you remember what that sum was? A. Yes.

Q. What was it? A. Five millions. Now, I said, "On condition, however, that you agree to build the road over which the New York Central will have the right to move its trains to its several terminals;" and "Now," I said, "If you build just so much road as we have planned, and which we think is necessary for our business, we will lease it of you. We will pay you interest or a rental, on your costs and sinking fund, and taxes, and everything else. In other words, we will make you a good offer."

Q. Right there, there was to be no restriction to other roads using it? A. I will just come to that. I said "On the other hand, if you want to build a railroad, which you think can be used for other roads, that is, of a capacity sufficient for other roads, we want two tracks. Now, if you want to build one that is sufficient for all, go right ahead and build it, giving everybody, the New York Central included, the right to run over it, on equal terms, and we will be your best customers."

Q. How does the Central feel about that proposition to-day?

A. Well, it has not come up in any way now.

Q. Do you think it has changed its attitude? A. I do not know that we have changed our attitude. We are free traders all around.

Q. That being the condition below 30th street, how does that differ between 30th and 60th streets? A. Because 30th street is our principal terminal. We have got to get there, and that has always been a *sine que non*. We have always got there independently.

Q. If you had two tracks running there, would not that furnish you? A. No, we have not.

Q. If you had? A. We have planned four.

Q. Supposing you had adequate facilities running between 30th and 60th street, is there any objection to your adding additional facilities which could be used by other roads? A. If any other roads want to offer facilities, we have not the slightest objection. They can get into that territory independently of us, if they wanted to. That is, if the city does, we have no objection.

Q. Does it necessarily have to be independent? A. Why not?

Q. Could not there be a joint use? A. Why should there be a joint use?

Q. It is not a matter of why—I am asking you, could not there be? A. What is the sense here? I am showing you to-day we are ready to put three quarts into a pint cup; what is the sense of putting half a dozen other trunk lines into the same pint cup?

Q. You are talking—what do you mean by your "pint cup:" let me have that little theory. A. A pint cup is existing; under these proposed theories, we would propose to make it a quart, and

a quart and a half, and that would be required for our business so as to avoid this congestion.

Q. Now, as I understand it, in the 1916 plan it was provided that you had a certain number of tracks from 60th street to 30th street; I am speaking approximately here — A. Yes.

Q. (Continuing) And the structure was so made that additional facilities could be added at any time? A. Yes, we not only agreed to that, to build our tracks so that the city could use them, but we agreed to spend \$100,000 to accommodate it.

Q. And I assume that that is a perfectly satisfactory proposition to the railroad to-day. A. As I say, we cannot prevent the city or somebody else putting tracks in there.

Q. Well, constructing a railroad which could be used, which could be open to all other facilities for other roads. A. That all depends on what the rest of the terms are.

Q. On what the rest of the terms are? A. Yes.

Q. Going back to my question of a little while ago, was it at the city's request or at the desire of the railroad, that the 1916 plan provided for the right to pass through private property below 30th street? A. It was the railroad's necessity for finding some solution that the city might possibly accept; they compelled us to go back, because they would not let us go on the marginal way, and so the only other alternative was practically this, to say "We will go to the expense of buying a right-of-way; how will that do?"

Q. So that the situation was that the Central wanted to go down the marginal road all the way, but the city refused to let them go down below 30th street? A. That was our original proposition.

Q. Do you not think that a jointly operated terminal below 60th street, is an efficient way of handling the terminal facilities of this city? A. May I ask what you mean by terminal facilities?

Q. Terminal railroad facilities? A. You mean a railroad?

Q. Yes. A. Possibly it is using a railroad for more than one road; most any railroad, if there is room for it on the tracks.

Q. Don't you think with sufficient capacity, that that would be a desirable condition to have? A. Well, it all depends. I do not know if anybody wants it.

Q. Well, you have had very wide experience in railroad matters. A. I do not know what the use is of talking of joint facilities, unless somebody wants the joint facilities.

Q. Well, assuming — let us be a little more concrete — assuming that the New Jersey roads were favorable to such a proposition, would there be any opposition to it on the part of the New York Central? A. We are free traders, so that if they have any proposition to make, we are ready to give it most careful consideration.

Q. And I also understand from what you said a moment ago, that the New York Central, being a free trader, is not opposed on proper terms, to the construction of a road which would leave open the adding of additional facilities, if at a later time the Jersey roads desired to come in. A. Any road we have proposed, we would leave that opportunity open, if they got the right and wanted to do it.

Q. Would the New York Central be ready, under proper terms and conditions, to enter into an agreement as to joint operation? A. Well, we cannot answer that question until we have an application from somebody who wants it.

Q. Well, I said under proper terms and conditions, that is understood in general business terms. A. Well, you are asking me to make a proposition.

Q. As to the principle — A. I say as to that, we are ready to consider it. We are ready to consider any proposition that any railroad company may make to us in regard to this matter.

Q. Or which the city may make as to handling these terminal facilities with you in connection with other roads? A. We are certainly ready to consider it.

Q. As I understood you to say last evening, or yesterday afternoon, the amount of freight which came in to Manhattan, over the New York Central lines, including the West Shore, was somewhere between 25 and 30 per cent? A. No.

Q. Twenty-three per cent? A. Twenty-three and one-half per cent, in the port.

Q. Twenty-three and one-half per cent in the port? A. In the entire port.

Q. Into Manhattan, about 30 per cent of it? A. About 30 per cent westbound, 33 per cent eastbound.

Q. Well, from 30 to 33 per cent? A. That, of course, is for points west of Buffalo, Pittsburgh, et cetera.

Q. How much in addition do you estimate comes in from the State of New York down through? A. I should say a large amount, but I have not any figures on it.

Q. But is there any doubt about that there is more freight comes to the Island of Manhattan from the New Jersey roads than there is over the New York Central and West Shore together? A. Well, whether taking in the local would bring this up to more than 50 per cent., I could not say.

Q. You don't know whether the local would bring it up to over 50 per cent? A. No.

Q. Just approximately? A. Yes.

Q. We are getting at things generally; you could give a pretty good guess; it would not be 50 per cent of the total? A. I do not think it would.

By Commissioner Ainsworth:

Q. But that which comes from roads and on the west side is, not export from the city, very much, is it? A. This Manhattan would not be export; some might possibly.

Q. This 25 to 30 per cent, the 75 or 66 per cent that remains, includes the export freight which the other roads bring in. A. Practically all of the export freight. The business of other roads, excluding the Jersey side, does not come to Manhattan Island at all. Their export business would stop there. It could be brought to ships.

By Chairman Van Benschoten:

Q. It comes to lighters, ships? A. Just delivered to ships.

By Commissioner Ainsworth:

Q. As much as there was of it? A. Most of the trade, for instance, which would come to the ships, which used to dock on the Manhattan side, would come from the Pennsylvania road, and the Jersey side by lighter alongside ship. It would not be loaded at the pier, or Manhattan Island at all.

Q. But such as there may be of it, is in the 66 or 75 per cent of freight that remains? A. I suppose it is, to the port.

Q. And has to be lightered across? A. Yes.

Q. It congests the harbor just the same as in the streets? A. (No response.)

Q. Well, your freight is freight for consumption on the island? A. (No response.)

By Chairman Van Benschoten:

Q. Mr. Place, I assume there is a great deal of freight which comes down the west shore for export purposes, which never goes over to Manhattan? A. A great deal of it, Mr. Chairman.

Q. The larger portion of it? A. I think the larger portion, the intention is to divert all the freight which is not destined for Manhattan at all, to the west shore.

Q. Now, you stated yesterday that you had a cross-over, near Schenectady, called Hoffman's? A. Yes.

Q. So that freight can be shifted back and forth from the west shore to the New York Central? A. Yes.

Q. So that if you wanted to send down over the west shore any part of the freight which now comes down over the New York Central on the east side of the Hudson, it can be sent over to the west shore? A. I do not know whether it could.

Q. Assuming the facilities were there. A. Some of it, it could be ferried across, lightered across, like any other.

Q. So that if the development of New Jersey was made perhaps at the expense of New York — A. Yes.

Q. (Continuing) — so that freight was needed over there and instead of on the Island of Manhattan, the New York Central could send it down over the west shore just as well as it now brings it into Manhattan over the New York Central? A. Yes.

Q. Therefore, the New York Central is not so materially interested as to whether it is the Island of Manhattan or the State of New Jersey, which is developed in a business way. A. Well, it may be strictly financially not. Sentimentally, we always have been.

Q. Sentimentally? A. Yes. We are a New York corporation, and we have stayed with the port on the differential, as

Adams says, and we stand for New York today, and we stand for the State, but I tell you now that in my judgment if we spend forty or fifty millions over in New Jersey, we would get more business than in Manhattan, for this proposed expenditure, and if the city drives us over there, why, we have to go where we are driven.

Q. That is a test match. A. Or the Legislature either, as far as that goes; we can either go to the Jersey side, or we can stop in our neighbor's country, in the Bronx, and Manhattan Island will be an island.

By Commissioner Ainsworth:

Q. Mr. Place, is there any difficulty about a terminal in the Bronx? A. We have terminals up there now, Mr. Ainsworth.

Q. But an adequate terminal; did not you in your case that was tried before Judge Herrick — was not something said about Tarrytown being the only place where a distributing yard could be put? A. No; that would be further up, but we have a large yard or space for it that is being developed now at Kingsbridge, and we also have a large yard at Mott Haven, which is largely used for passenger equipment, and we have freight facilities there. Then we have another down at Westchester avenue, on the Port Morris branch, and then we have other stations in the Bronx at Fordham, smaller yard stations.

Q. There was evidence given on that trial, as I read the record, with reference to Tarrytown being the nearest point you had for a distributing yard. A. Harmon, that is.

Q. Harmon? A. We have there, and that is all on the west side; Harmon is an important point, because we are providing there a large space for classification yards, so that one of the benefits which would come from these improvements is that largely before freight trains move down on the electric division from Harlem south, they would be classified for the Manhattanville yard, and the 60th Street yard, and so on, and that would be a gain in capacity and efficiency.

By Chairman Van Benschoten:

Q. Mr. Place, did you feel that the 1916 plan made adequate provision for future growth? A. No.

Q. That was where it differed from the plan of 1911, which you proposed? A. Yes.

Q. You believed that provisions for greater facilities and greater growth should be had? A. I felt so, and feel so now.

Q. Reverting for a moment back to Riverside park, was there ever an estimate made by the Central, as to the expense of depressing the tracks there; there has been a great deal of discussion about depressing tracks. A. On the present right-of-way.

Q. Yes; on the present right-of-way. A. I do not know; we have made some very rough estimates, but not very much, because we never saw any possibility of its being done. We do not want to get into water there; you cannot run an electric road in water, you know.

Q. There are objectionable features to the depressing of the tracks? A. Very objectionable.

Q. And very briefly, what are they? A. We are right along at the water's edge there. The grade of our tracks is no higher than it ought to be, to protect this, particularly with a third rail, to operate by electricity. It is no higher above the water than it ought to be.

By Commissioner Stoddard:

Q. How high now above high water? A. About five feet.

By the Chairman:

Q. That would require making it watertight, the depression? A. Trying to make it watertight.

Q. Well, was there any estimate made as to the difference in expense? A. Mr. Chairman, just a moment; any scheme that we have ever discussed, gets very little advantage, because of the fact that there would not be much or say half a mile, that would be depressed, because you see at the southerly end we would be approaching the 60th Street yard. We cannot have that under water; and going north, we would be approaching the Manhattanville yard which goes on an elevated over the streets there — about half a mile out of three miles, which would not amount to anything, and it would not amount to a hill of beans, and be a lot of expense, and be introducing a bad freight grade, which is a bad feature, with no compensating benefit.

Q. Discussing and considering the 1916 plan, was any particular consideration given to its operation or its facilities enabling a proper market terminal or terminal market situation here of the city? A. Yes; we gave consideration to that. Of course, we regard that as a municipal matter, but we believe that under either one of these plans, the 1911 or 1916, that they afforded the opportunity for the city, if they saw fit to connect with those tracks, markets as adequate as they thought were necessary. Manhattanville is a good place for a market, inside there, where it has been proposed that we put our station, and at many points along down the west side, there would be opportunity for that, if it were a desirable thing to do, and we would be very glad to do so.

Q. Facilitating the development — A. Co-operate and facilitate in such development so far as we should.

Q. Under the 1916 plan, the criticism has been made that below 59th street the Central had practically a monopoly; were the yards used? A. Yes.

Q. By reason of its being able to run through a right-of-way, and running its spurs to warehouses and so forth, do you think that is a fact? A. That is not.

Q. Do you believe that the powers of the Interstate Commerce Commission would cause the New York Central to carry a car of another road, to deliver it at one of those warehouses? A. I would like to see the provision under which it could be done.

Q. So that if anyone thinks it could be done under the power of the Interstate Commerce Commission, they would be mistaken in their view? A. Well, I know of no present power.

By Commissioner Rounds:

Q. Do you think Congress could grant power to the Commission to compel that? A. Congress can pass any kind of a statute it sees fit, but outside of that I do not know. I could not answer.

Q. You do not have an opinion on that? A. No: I am no prophet.

By Chairman Van Benschoten:

Q. Mr. Place, taking that 1916 plan with the Central down the private right-of-way from 30th street, or above, between 30th

and 60th streets, running its spurs into warehouses, there would be no way then for any other road to have any freight carried in over those tracks to those warehouses? A. Over those tracks?

Q. Yes. A. No.

Q. And unless other tracks or other terminal facilities were constructed, which would connect any other railroad with those warehouses, the only method of carrying freight to the warehouses, would be over the New York Central? A. Well, the warehouses have provided themselves with common tracks. They are left here north of 30th street — there is the Pennsylvania railroad with its tracks.

Q. I am not talking about the New York Central warehouses now; supposing spurs ran off into the National Biscuit Company, to which reference has been made, there would be no way for the National Biscuit Company having freight brought to it, except over the tracks of the New York Central? A. Directly, no.

By Commissioner Rounds:

Q. Well, would not an ideal plan, or half an ideal plan provide so that the National Biscuit Company can get in cars from the Pennsylvania, say without compelling the Pennsylvania or themselves to pay anything, except ordinary switching or terminal charges? A. Well, with that arrangement, it is certainly a great advantage. There is not any question about it. Here you have a terminal at the Port of New York, which starts up here on the west shore of the Hudson river, and goes away down to the south end here. Now, then, there are four or five trunk lines in there. They have got their terminals. They were there first. They have an advantage there. We are here on Manhattan Island (indicating on map). This is New York city and New York State. We are here. We have an advantage as far as that goes. Now, then, is it any more important to talk about joint use of facilities on Manhattan Island here than it is over there (indicating)?

Q. Not a bit; but if we could persuade all of you to give up your monopolistic advantages that came from the priority and come into a common pool so that you could deliver your cars in Jersey on the Pennsylvania terminals, and vice versa, would not that be good, perhaps, both for the public and the railroad, if

that could be accomplished? A. It might be well, Commissioner, and as I told you, it might be.

Q. And should not we ask — A. Mr. Harwood here suggests they are already doing it in Russia.

Q. Should not we ask in America, as distinguished from Russia, so far as we can — should not we work looking forward to ideal developments? A. Surely. I think we should work for ideals all the time, but this is a bigger job than we have been able to accomplish yet.

Q. And does this dream seem any more iridescent than when in 1846 some of these gentlemen passed the resolution you have mentioned, the dream of having a Hudson River railroad? A. No; I should say that the dream was more than a dream then, than it has ever been.

Q. And this dream may very likely come true, and within 25 years? A. I am not a prophet.

Commissioner Rounds.— Nor am I.

Q. But at least it does not seem impossible, does it, Mr. Place? A. I do not say that everything is impossible.

By Commissioner Stoddard:

Q. Mr. Place, you have stated here that you are a free trader? A. Yes; ground up.

Q. And in order to develop that character in the community, it thinks you are a protectionist, does it not? (Laughter.) I would like to ask you a few questions to develop your mind on this matter of additional facilities. You have stated that below 30th street at one time, you said the city authorities could, if they wanted, build a municipal road, and you were perfectly willing, the New York Central was perfectly willing to abandon at a price, its right below 30th street, and join in a municipal road, that is, you would be the best customer of that road? A. I did not say we were entirely willing, but we were willing to do so, in order to get the job done.

Q. Well, you would? A. Yes, sir.

Q. That was a very definite and positive statement on your part, was it not final? A. As definite as I generally put words in language.

Q. When the question came up between 30th and 60th streets, as asked by the chairman here, you were not quite so definite, at least, to my mind. You say now that between 30th and 60th streets, that there are three quarts of water poured into a pint bottle. The chairman asked you whether you would agree to additional facilities there being used by other roads, principally the Jersey roads; at the same time you state that all the facilities are there, or are proposed there, that they would not be adequate for yourself alone? A. I say I did not think they were any more than adequate.

Q. How is it possible — A. I think the four tracks, I think so far as the four tracks between these two places on the 1916 plan are concerned, they would probably handle all the freight that was to be moved between those yards.

Q. Now, let me ask you another way, then: On the four tracks that are proposed, would any suggestion of the joint use of those four tracks by any other railroad, appeal to you, as a free trader?

A. Well, we feel that those tracks we will need for our own facilities, and the way that was met was by getting far enough back here — let me answer it this way — if the time ever came when other roads were coming in here, and those tracks were sufficient, well and good.

Q. Sufficient for what? A. Sufficient for both.

Q. For both? A. Yes.

Q. You would not object, then? A. But, on the other hand, if they got the right to come in, and they were not, why, then, the proposition was two more tracks would be built and provision made for them.

Q. That is between 30th street and 60th street, speaking solely of that, you do not claim — you would not insist on exclusive operation and control of those tracks.

The Chairman. — Especially as long as you had equal facilities with what you have now, with what you require? A. Our plan was that we should have exclusive control of these tracks to 30th street, because we felt we needed them all.

Q. That was the 1916 plan? A. Yes.

Q. I am asking you as a free trader, in the future, whether you have changed your mind, or could be persuaded in your mind, so

that you would not insist on exclusive control for your railroad of those four tracks, or whether you would insist that any new line that would come in, would have to use the two additional tracks that are laid. A. We should have to insist on having them, unless it could be shown sufficient for such additional use as we propose to make.

By the Chairman:

Q. That would be a matter of consideration? A. Our view is that between that territory, that if these tracks were used down here jointly in any way, there are other means the same companies could use to get up here to this territory, if it was a desirable thing to do. They could come up the other end of the block just as well.

By Commissioner Stoddard:

Q. I want to keep it, if I may, simply to this question of trade. I want to see really whether you are a free trader, or a protectionist. I want to ask you whether — A. The proof that I was a free trader was when I said, "Yes, we will make provision here, so that if these other people want to come in, let them come, we do not bar you out."

Q. You did not make it clear to my mind as to whether they would have any room to come in, unless you were willing to ease up a little. A. There is room.

Q. I want to get it — I want to keep it to these four tracks proposed in the 1916 agreement, whether these four tracks for which we know there is adequate room there, whether these four tracks, if built, in any way either by your company, or by the city in any way, as provided there, whether your company would insist on the exclusive use of those tracks, or whether it is possible to persuade your company to allow other railroads to use those tracks?

A. Well, I could only answer that question when a railroad came along and showed they wanted to use it, and to such an extent, "We are going to have so many cars, and about so much business." Now, then, the operating people on the two roads would consider these facilities and determine in their own mind as to whether they could all be handled by these four tracks.

Q. Then, in principle, you would not object to it? A. Well, I am perfectly willing to discuss it, as I say.

Q. You accept the principle? A. No; I say we are willing to discuss the thing.

Q. If you say you have three quarts, and a pint measure, no one has a chance to get into that pint measure, don't you see? A. There is no room for it.

Q. Then, you have nothing to discuss? A. Well, it might be we would not. It might be we would demonstrate to the other men right off, that there is no room for them here. They would not want to come in unless there was room, and they would want their freight properly handled.

By Commissioner Miller:

Q. Suppose we make the tracks six or eight, instead of four? A. You would have fifty per cent capacity —

By Commissioner Stoddard:

Q. I am of the opinion that you are a good deal of a protectionist. I wish you could change my mind, I want you to.

By Commissioner Ainsworth.— Mr. Place, how many have you got there now?

The Witness — Now?

By Commissioner Ainsworth:

Q. Yes. A. On Eleventh avenue, two.

Q. If the city proposed to grant you a right for two additional, have you room for two more in addition? A. Yes.

Q. Would your company object, in consideration of such grant to you, and such reserve provision for future increase, to provide in an agreement that those six or more tracks might be used in common by all roads, on adequate compensation? A. Well, Mr. Ainsworth, in this 1916 agreement, we did consent that two more tracks should be built, if the city wanted two to itself, or to grant it to anybody else.

Q. Did you ask the city or do you ask the city now, to give you room for two more; you have two, and want four? A. Yes.

Q. Now, would you object to a provision in your grant for two additional tracks that if at any time the city wanted a railroad there to be used by all in common, that you would object to their hitching on to your track, or would you be willing to agree for the

construction of two additional tracks to be used by future roads that might want them on adequate compensation, to you for their construction. A. You mean for our building them?

Q. Yes. A. We could not agree to that, Mr. Ainsworth. If it came in that way, I do not see how the New York Central could build them, if they had to acquire any property, because it might get it from the city.

Q. But under an agreement, by which the city might grant to you the right to do it, to put it on the condition that when constructed, that would be for the joint use of all roads that wanted them on adequate compensation, to you for their construction. A. If we constructed them?

Q. Yes. A. I do not know that there would be any objection to that agreement, because we would not consent to it, unless we needed them. I do not think that would amount to much. I would not think that would —

Q. There seems to be a shadowy feeling that whatever is done up there by any grant from the City, must provide for a common use of all roads, and I think you have to face that proposition. If the city grant you additional trackage, and makes a covenant that when the trade wants still further tracks, they shall be produced by you, for common user, on compensation to be paid; would you object to that kind of provision in an agreement? A. Yes, I would, because now —

Q. Let us have the reason. A. All right; the proposition under which the New York Central proposes to spend a large amount of money, forty or fifty millions, it has said up to this time that we would face that alone. Now, you talk about over here on Manhattan for the benefit of New Jersey, as against the State of New York and so on, about the joint use of tracks. Now, if there was any such arrangement as that to be made, or any contract, now is the time to make it, because any other company that comes in here must face the proposition of a capital expenditure, just as we do. They must bear their share. Now is the time to say yes or no.

By the Chairman:

Q. No, but Mr. Place, suppose that cannot be done now. A. We cannot help that.

Q. Does that mean the delay of all improvements, when proper compensation can be made to the New York Central at a later date, which would have to take into consideration the capital expenditure ahead of time by the New York Central? A. We cannot be in a position to go to these other companies and say "We are going to provide for you now." They are just as well able to take care of themselves as we are. If they want to come in here now, they know just as much about it as we do.

Q. Supposing the railroads agree they won't agree on anything, and therefore dump the city of New York? A. I cannot help it. We will do our part, if you will let us. Now, this is a mere theory that you are talking about. There is no more reason why the city of New York or the State of New York and its representatives like you gentlemen, should sit here and try to provide for the Jersey roads, than you should be negotiating for the Jersey road to provide for New York City.

Q. We differ from you — at least, I do. I am present for the City of New York, and when I consider the large proportion of the freight which comes into the Island of Manhattan, in the City of New York, and it is a matter which I believe this Commission should consider, the amount of freight which comes into the City of New York, and the proper consideration of how all the port terminal facilities should be arranged. A. That is all right.

By Commissioner Miller:

Q. Mr. Place, I would like to ask you one question. Suppose sufficient tracks from time to time for the necessary traffic can be provided, not necessarily by you, but can be provided, do you object to the principle of joint operation of the road? A. On the tracks?

Q. On the tracks. A. It is possible that it could be operated in that way.

Q. Well, would you object to it? A. It all depends on the way it comes to you.

Q. I am asking about the principle of it. A. I do not know that we have any objection in principle now.

By Commissioner Stoddard:

Q. Now, Mr. Place, to come back to this: Below 30th street, you are perfectly willing — I mean you were at some time, saying

that you would consent to the city building a municipal railroad, "And we will be your best customers below 30th street"? A. Yes, sir.

Q. Now, suppose the city should come to you and say, "Now, Mr. Place, you seem to object to this, because the New York Central would have to build the road, the elevated stops the city, so we will build instead of stopping at 30th street; with our Municipal railroad we will build from 30th to 60th street, and you can be our best customer in there," how would you like that proposition, as a free trader? A. I would not like it.

Q. You are losing your reputation. A. The idea is to have our big principal terminal there, and we have got to get there in a proper way, or else you won't have the benefit of the facility that you are going to spend your money for.

Q. Suppose the city built a six track road there, you have four, and two additional in the 1916 plan, four fixed and two possibly that makes six; suppose the city say "We will build this six-track road from 30th street to 60th street, leaving you your yard at 30th street and 60th street," and only saying to you, "Your cars will run down on these tracks the same as the cars of any other railroad;" would that appeal to you? A. It would not appeal.

Q. It would not appeal? A. No.

Q. What is the most serious objection you have to that? A. Why, because we need those tracks, the exclusive use. It is difficult to only go to —

Q. They are not getting your answer. Do you need those for your exclusive use? A. Yes.

By the Chairman:

Q. Six tracks? A. Four.

By Commissioner Stoddard:

Q. I said if they built six. A. There is no objection to their building six alongside of us.

Q. You mean then, you have no objection, provided you have the exclusive use of four tracks, to the city, or any other corporation, building two tracks, over which they would have jurisdiction? A. Not the slightest.

Q. You have no objection to any one running alongside of you, but you have objection to any one sharing with you what you have?

A. Yes, because of the practical difficulties in operation.

By the Chairman:

Q. If you felt satisfied that you were going to have additional facilities to accommodate your traffic, you would have no objection on principle to a joint operation? A. I do not know as I have — of course, that is all a question of —

Q. That is what I mean; you do not care to run alone without your business is taken care of. A. (No response).

By Commissioner Rounds:

Q. Is not that a little bit inconsistent to what you said to Commissioner Stoddard a moment ago, that is, that you felt that you must have the exclusive use? A. The chairman put it with a proviso if we were properly provided. That all depends on properly provided.

Q. That is, if you can, by the nature of the joint terminal and of the contract you have with the joint terminal, be assured of sufficient service between 60th street and 30th street, why, you do not see any objection on the principle, do you? A. Why, the thing is — what we want is sufficient and efficient service.

Q. Whether exclusive or not, if it is sufficient, is that right? A. What?

Q. Whether exclusive or not? A. I am not standing on the question of exclusiveness.

Q. That is the point. A. It is a question of sufficiency and efficiency. Those are the great things.

By Commissioner Todd:

Q. Mr. Place, what are the Central plans to title south of 48th street land? A. We do not own the land; we have a right to be there. We get it from the State direct, a perpetual right.

Q. Do you know why, when the Central built its road, that it did not buy a right-of-way further south than 48th street? A. Well, because the city had already opened Eleventh avenue south of that point, and we could not buy from the city. We simply got our right to build in the street, the land of which has been

taken, by the city or the State. There was not anybody there we could buy from; there was no private owner.

Q. What do you estimate to be the value of the rights of the New York Central on the west side of the City of New York?

A. Oh, I could not give any estimate, Mr. Todd. The only thing I could give you is the assessed value there. That is all. I have given it in this memorandum.

Q. Do you recall what that is now? A. The value? I do not know what it is; that is to say, if you mean value in the sense of what it would be, if you cut off this great terminal by condemnation, and left us high and dry, what that value would be, that is one thing —

Q. That is what I meant exactly. A. Yes?

Q. That is what I would like to know; what is your notion of its value for condemnation purposes? A. First, the rule of law would be, what is all the entire railroad worth that is here, with its terminal in the city of New York, and what it would be worth if you cut the head off and threw it away. It might be worth \$100,000,000 or \$200,000,000 less — I do not know what.

Q. Is it your opinion that that value runs up into figures of over hundreds of millions of dollars? A. Seriously, I would not want to put any estimate on what it would be. It would be a matter that I really have not attempted to fix,— very large, of course, it would be, to a larger extent crippling the operations of the road. You would have to divert your freight. If that terminal south of Spuyten Duyvil were destroyed and taken away, of course the New York Central, its usefulness and efficiency at the end would be largely destroyed. It would undoubtedly have to divert a great deal of its freight to the Jersey side, and divert more to the Bronx, and it would be a bad incentive to divert it to other ports like Boston, where we would have a line, and all that sort of thing.

Q. What was the reason for the proposed change in the lines through Central park, in the 1916 plan? A. Coming east?

Q. Yes. A. Riverside park?

Q. Riverside park, I should say. A. The reason was an insistence on the part of the city that we do that, and the claim that it would interfere less with the maintaining of the natural

contour of the land there in the park, if it was covered over by a road. The 1911 plan contemplated a roof over the road, and it was criticized on the ground that it would be too flat. The theory was that if we cut in on the easterly side, that these slopes and hills would be more nearly maintained in their natural contour than under the 1913 plan — the 1913, I did not mean the 1911.

By Commissioner Beard:

Q. Has there been published, an estimate of the cost of the execution of the 1916 plan, on the basis of labor and supplies at that time? A. Yes, we had estimates which varied, of course, depending on how far it went, and they raised from about fifty millions, was it not?

Mr. Harwood.—Yes, fifty million.

The Witness.—Up to a large amount, depending on how extensively we built over these tracks, warehouses, and so on.

Q. May I ask how it was planned to finance that; is that a fair question? A. Yes, certainly. Of course at the time, in normal times, when this was contemplated, before the war, our plan was to finance this through probably the sale of bonds. We would have a proposition partly by stock. Just about the time, or just before the slump in the market, we proposed to issue twenty-five millions additional stock, and at that time it looked as if this agreement would go through, and I think that we estimated that we would perhaps spend ten millions in the first year, and we expected to raise the sum in that way. That is one way; the other, the sale of the stock, or we have what are called our refunding and improvement mortgages under which bonds could be issued for such purposes as this, in normal times, when bonds could be sold.

Q. Would these obligations rest upon the railroad as a whole, you would not separate this improvement? A. No, sir. It would be the New York Central Railroad Company as a whole, all its divisions.

Q. Refunding and improvement bonds or something of that sort, or stock? A. Yes; I think if normal times had been main-

tained, and this agreement had gone through, it would have been financed in either one of those two ways.

Q. You would not separate those in any way from the plan, and put in a charge on this terminal, or this improvement, as such? A. No.

Q. But you would have to get the consent of the Public Service Commission? A. Oh, yes, we would have to get the consent. We would have to get the consent of the Public Service Commission, in about five states, four or five.

Q. Then you would have to show that the actual expenditures, the cost of all this — what it would amount to? A. Yes, we would have to go before them and give them estimates. They do it in two ways. You may go on and spend the amount of money if you like, if you have it on hand, that is a proper capital expenditure. Now suppose we spent ten millions, if we had it, we then would go to the Commission within a certain time after that, and show that we have actually expended for a proper capital purpose, and they authorize us to issue securities to meet them, or you can go before you make the improvement, and tell them what you are going to do.

Q. Have you ever made any estimate as to the difference in the cost of your plan, as originally drafted in 1911, and the cost of the plan, as agreed upon in 1916? The 1916 plan was much more expensive to the company, was it not? A. Well, there were some things, Professor, that were expensive, and others, I think perhaps not; but I think most of the figures on the 1911 plan were made when prices were much lower than they are now.

Q. The comparison really is not right. A. The comparison of estimates would not be very material, I think. They would not be very instructive.

Q. What I was trying to get at is, it seems to me, it imposed upon the company certain restrictions and limitations in the 1916 plan, that would make it with regard to the physical plant, much more expensive. A. It certainly would, Professor.

Q. And, therefore, constitute a tax upon the carrying of goods for the people of this State; is that fair? A. That is fair in a broad, general way. I do not expect it is going to make any difference — or that it would raise the rate right here, but in the

long run, all of these expenses have got to be borne by the transportation of the goods.

By Commissioner Rounds:

Q. I should like to be clear on one or two things, shortly: As to your idea of what would be desirable in this problem, within reason, not mere ideals, but what is desirable; do you think it is best the railroads should be located on the marginal way, or back from the marginal way? A. South of 30th street?

Q. South of 59th street. A. Well, between the two yards it seems much more feasible to be along the marginal way.

Q. And south of 30th street? A. Well, now, south of 30th street there are advantages and disadvantages from the railroad standpoint, and we could accommodate ourselves to either.

Q. It does not make much difference; it is a balanced question. A. As a matter of fact, upon the face of what we thought was an agreement, we bought a good deal of the right-of-way, or the proposed right-of-way, but so far as that is concerned, we could meet either proposition that seemed best from the city's standpoint.

By Commissioner Beard:

Q. The marginal way would have been less expensive? A. The marginal way would have been less expensive, probably. Of course, it perhaps is not so much expensive as it would appear on the face, because of course, if it were in the street, there would not be any doubt but that we would have to pay abutting damages. Whether we would on the marginal way, I do not know. It is a peculiar situation. If we were going along tenth avenue, for instance, undoubtedly we would have to pay for easements.

By Commissioner Rounds:

Q. It is desirable, I suppose, that the plan should be framed so that a terminal or co-operative warehouses, like the Bush warehouses, could be located, so that spurs might be run in from the railroad? A. Oh, yes, that is one of the things.

Q. And if we should ever reach the point where we could have a jointly operated terminal, under some fair plan, by which the Jersey roads would come in, it would be desirable, would it not, that these spurs, running into the warehouses, should be subject

to joint use, like the trackage? A. Oh, undoubtedly. One of the objects, if I understand you gentlemen right in asking me these questions, is, could there be two things. I suppose it would be the object of these Jersey roads using these tracks, and that is, take the elevated tracks out of 30th street — of course, if means of any sort were provided, of getting under that elevated track, there are two things they might do; they might establish inland freight stations, just like ours, and use them, and buy just as much as they wanted to buy, and could get the right to use. That is one thing they would undoubtedly do, if this were used, but the other thing would be that they would have access to these industries which had spurs from this track — those two things.

By Commissioner Rounds:

Q. How far south do you think it desirable to go in the immediate future; I see that your 1911 plan provided to run down to Chambers street; do you consider that very desirable? A. Well, Mr. Rounds, looking at that from the city's standpoint, we thought that it might be desirable. I say the city's standpoint. I would say all standpoints, and at least we thought it was a wise thing to make that proposition, suggested to the city at that time, and let it be discussed, and see what became of it. I think if it were built down to that point, I think there would be a great deal more chance of freeing some of the piers, than there is now, from the kind of use that is made of them. Now, I am saying that, not because I do not think the railroads ought to use any of these piers. That is a part of the purposes of commerce, for which the city of New York got all these rights in the State. The city of New York did not pay anything for them, but they are for the purposes of commerce. Well, the commerce is carried on by water and by rail, and this water front is just as essential for certain purposes and particularly under present conditions, for rail connection, as it is for all others, but, with all being said, this territory from 59th street down to the Battery is a most important territory. It is very highly valuable for shipping purposes, and any methods which tend to economy of space, and use on the waterfront is a good thing. Now, going down there, you hit some of those points inland, and stations, freight stations could be

established, which would probably, to some extent, relieve the condition.

Q. If we could get this ideal of a jointly operated terminal, with full and fair and reasonable and adequate rights to the Central, would it be desirable, if we should plan perhaps not in the immediate future, but lay our plan so that it could be connected up with the other parts of the port; is that important, and is it very important to connect it up by tunnels, and so forth, to South Brooklyn, and the east side, and so forth; to consider in other words, the needs of the port as a whole? A. Connected by tunnels from the Jersey shore?

Q. No. Well, we will say a tunnel under Manhattan to get over to the east side, running along the east side, and then perhaps another tunnel to South Brooklyn. A. Under the East river?

Q. Under the East river. A. Well, I have no objection to providing for them, if you can.

Q. That you do not think is a present feature of the situation? A. No.

By the Chairman:

Q. You think the lighterage proposition would take care of what is going to Brooklyn? A. Very largely it is the cheapest way.

By Commissioner Rounds:

Q. And the needs of the east side too? A. The East river, yes.

Q. And if we came to a point of a jointly operated road, or trackage on the west side, that might either be by the present lighterage scheme, raising the trains from New Jersey on to the elevated road, I suppose, or by a tunnel. You do not see any objection except expense to either plan? A. Of course the expense is important, and the handling. Of course you know that a tunnel — it is very easy to wave your hand and say there will be a freight tunnel constructed, but how deep do you think a tunnel under the river at the north shore would have to be?

Q. How deep? A. About 65 feet, and in order to get up on any practical grade, a minimum of 2 per cent of grade, how far

east would you go before you got up on Manhattan Island to grade — about Seventh avenue.

Q. You have spoken once or twice of markets; am I right in thinking that my question of food markets would naturally work in with terminals, whether public or private; that is, your terminals would perhaps provide some facilities for market and the terminals of the other roads also, or would that be separate? A. That market would be a separate proposition entirely. That would be handled by the municipality, and not by us.

Q. And this joint terminal, if we had one, would run its spurs into markets as to the warehouses? A. I said at any points along this line; if the city decided to establish a market, we could reach it by such tracks as were necessary.

Q. And still, on this question of the ideal, and looking at the question of what should be the rights of the public, because as Commissioner Stoddard has pointed out, we must consider that in taking up the problem; am I not right in thinking that the public should have fair control over the terminal rates, which I suppose now exist in the public bodies, does it not? A. It already exists. The Public Service Commission and the Interstate Commerce Commission both have jurisdiction.

Q. And does it occur to you that the public should also have preserved over the terminal system, some fair liberty of action for providing for the future of re-location and modification in some way, not going into the question of what way, whether it is recapture or readjustment of provisions, but that in some way the public should have liberty of action to provide at the end of 70 more years, the sort of changes that we are now providing for, with apparently little liberty of action; is that reasonable to your mind or not? A. Well, we are under the jurisdiction of the Legislature all the time, and they have the power.

Q. Do you feel that the Legislature could compel the relocation of some of your tracks? A. Suppose the relocation meant the destruction of facilities?

Q. No; but relocation in such a way as to give you equivalent service? A. That is very hypothetical.

Q. That is just the point: You say we have liberty of action, and yet when I ask you you say it is doubtful whether we do. A. Well —

Q. But at least, do you concede that it is proper, that the public in whatever plan is carried out, should retain or secure, perhaps, reasonable liberty of action in the way of compelling extensions and relocation and modification, as time goes on? A. We have the Public Service Commission doing that now.

Q. The principle is right, then? A. No; I do not say it is right, but we have got it, and it is one of the burdens of transportation. Good Lord, we have got it — it is not a question of whether it is right or not, we have got it.

Q. And then another thing: Is it desirable and proper that the public should insist on an anti-monopoly plan, that is, on some plan, that if other roads wanted to come in, shall share on the proper terms. A. What do you mean, come in?

Q. I mean that the city authorities or State authorities should be in a position of being able to eliminate — A. Why should this particular terminal be subjected to anything else except the general law, to which all terminals are subjected all the time, as they may be modified from time to time?

Q. Various cities have taken up the question, have they not, and have worked out joint terminal points? Now, the joint terminal plan would avoid the monopoly element, as I have it in mind, by giving the privileges to all. Now, the cities have worked out those plans, have they not? A. Where?

Q. Well, we will say in Kansas City. A. The passenger proposition almost entirely. There is no more parallelism to this situation than —

By Commissioner Stoddard:

Q. How about Baltimore? A. Nothing there I ever heard of.

Commissioner Stoddard.— Oh, yes.

By Chairman Van Benschoten:

Q. Do you know about the Southern Pacific and San Francisco? A. I have heard of it, but I do not know they do.

By Commissioner Rounds:

Q. How about Montreal? A. Are there any facilities up there?

Mr. Harwood.— They are making something; I do not know what the plan is.

Q. This Indiana Belt road, as you mentioned yesterday as being one of the properties of the Central, is that a terminal road?

The Witness.— That is more or less a terminal road, and owns various companies and stock.

Q. Of what city? A. Chicago.

Q. Let us take that then, for example: If the various companies own stock and if there is no monopoly — A. If anybody wants to organize a terminal company, and puts stock into it, well and good.

Q. You do not say anything — A. But this is not a terminal company; it is a railroad. It has a principal terminal. The Pennsylvania has its principal terminal, and the Erie, and the Lackawanna. This is a belt line at its terminal. Taking an integral part of the New York Central, and taking and putting in a joint belt line, that is all well enough, but there is not one that ever paid. They have tried in all sorts of cities, and they are, most of them, scrapped — the larger part of them, at least.

By Commissioner Rounds:

Q. Does this Indiana Belt Line work fairly well? A. Well, I do not know. I do not know much about it; do you, Harry?

Mr. Harwood.— It is a switch road, outside Chicago. It is not the same type as this road.

The Witness.— We sold parts of it to the other roads, the St. Paul and —

By Commissioner Beard:

Q. Do I understand you to say that most of these belt lines are failures? A. They are, I understand, terminal roads, so-called, yes; one in Detroit, I believe. I have heard a lot of testimony. I did know about it at one time. There were two or three projects in Buffalo. Buffalo is a great big territory also, and there were two or three projects, and they were up before the Public Service Commission half a dozen times, and a lot of testimony given. Now, I knew about some of them. In fact, I think I attended one or two hearings up there, and the general impression I got — I got a man from the west, an expert, who knew a good deal about

so-called belt line railroads. I could not find out that any of them had ever been any great success, and the evidence there was it would be folly to build those roads in Buffalo. They have the right to build one or two of them, but there has not been a spade turned.

By Commissioner Ainsworth:

Q. Who was this expert from the west? A. He is dead now. Nothing came of it. (Laughter.) He is dead; we cannot get him. But I think he was on some of the lines at one time, and then he came east on a belt line, either the Indiana Belt, or the C. I. & S.

By Commissioner Todd:

Q. Is there any expert on these terminal railroads, that is still living? A. No; I think they are all killed off.

By Commissioner Ainsworth:

Q. Some of the railroad men before us have raised the question that the unit of operation has its limits, and that there would be trouble in the management of a terminal road here in New York City; what do you say about that? A. Well, of course, I simply think there is a possibility of — Now, I think that our operating people here have about all they can do to handle the freight in the New York Central terminals.

By Chairman Van Benschoten:

Q. As now constructed? A. As now constructed, or as they might be constructed, because if they were properly constructed there would be more freight, and the job would be bigger, but it might be easier. I am understanding that you mean a yard, a freight station?

Q. Yes. A. Of course it seems to me that the possibility of one big freight station anywhere in Manhattan Island, where all roads use it would be so large — that is, I do not think that the size would add to the efficiency.

By Chairman Van Benschoten:

Q. I do not believe there is much difference of opinion on that. A. I think it would —

By Commissioner Rounds:

Q. But that would be quite a different question for a company perhaps owned by the different railroads who use it, to construct and use generally the trackage serving various yards? A. That is a different proposition.

Q. Nothing seems unreasonable or impractical in that principle? A. Under proper circumstances, no.

Mr. J. Bleaker Miller.— May I ask the witness as to one statement of his yesterday, which I think he would like to correct, a statement concerning the warranty deed by Moffatt, and which is the land under water, and a statement published as to the land under water, and its owning the right, title and interest, and his second statement as to this title deed, that there was a grant from the City of New York which conveyed this land from under water, but the City of New York excepts Tenth avenue, so that this deed — I am only stating this in fairness to the witness, so that he will have a chance to correct it before he goes on further. It shows merely that his claim above 72d street, to own the land to Spuyten Duyvil, is a fake.

Chairman Van Benschoten.— Will the speaker give his name?

Mr. Bleaker Miller.— I am J. Bleaker Miller, Secretary to the League, the organization which started this inquiry.

Chairman Van Benschoten.— All right; we have your statement, Mr. Miller, and your name.

By Chairman Van Benschoten:

Q. Mr. Place, you can answer if you recall the statement. A. That is not what I said.

Q. I remember at one time you spoke of a warranty deed and changed it. A. One was a warranty, and one was not, and of course there are other deeds where there was never any grant from the city.

Commissioner Ainsworth.— They conveyed as much as they had.

Mr. Bleaker Miller.— This is a typical deed, liber 496, conveyances, page 426, a deed from Moffatt.

By Commissioner Rounds:

Q. I would like to be a little clearer about one or two questions with regard to the franchise south of 48th street, the railroad. I take it, has no interest in the soil, but only a right? A. A right to be there.

Q. But north of 48th street, you consider the railroad has an interest in the soil? A. Well, my judgment, Mr. Rounds, would be that the situation in the avenue is precisely the same.

Q. So it seems to me. A. I do not claim any different.

Q. And even north of 72nd street, at least within the lines of the road where the title was, was condemned; I suppose that leaves your right about the same as below 48th street? A. Well, I would not admit that it was greater there, because, as I say, there is no street there, and never has been actually opened. However, the facts, I do not know anything about them, but we have a right to be there.

Q. In so far as you go above 72nd street, I suppose the transportation right would run no further than your use of it, that is, your railroad use of it? A. It came under a written instrument: it takes all there is in a written instrument.

Q. It is all covered by your deeds, is it? A. Yes.

Q. And how about the property within the lines of the streets of the 60th street yard. Are your rights there similar to those below 48th street? A. Well, the 60th street yard — those streets physically never were opened, and most of that, of course, is below high water, so that they were excepted out of the grants which were made there, and we were the successors of the original grantees, so that in our grant we have shown that their fee, whatever it is, in the city, they were discontinued by the Acts of the Legislature.

Q. Would you feel in the 60th street yard, that your rights in the streets are similar to your rights in the streets below 48th street? A. No; there is a distinction. In Eleventh avenue, south of 48th street, either south of 48th street, wherever in a public street, in the city, it is open and actually used, is a street for the purpose for which it is applied, — now the city or the Legislature has abandoned the street use, and they have practically set apart this by the Act of the Legislature for railroad purposes.

Q. So your rights are — A. And our tracks, what can the city do with it? They cannot use it as a street, because it is not a street. On the other hand, they can use Tenth and Eleventh avenues.

Q. Do you concede that below 48th street, for instance, the city could build a structure over your tracks in such a way as not to interfere with your tracks? A. I know of no reason why they could not.

Q. And would not that be true, at least, right up to 72nd street? A. Well, I do not know about above 59th street, but up all through Eleventh avenue, I should say that was true.

Q. And Riverside Drive? A. No, not Riverside Drive.

Q. What is the width of your right-of-way that you have in mind along Riverside Drive; is it much wider than your present use and occupation? A. It is about 66 feet.

Q. Would it accommodate additional tracks? A. Yes, it will accommodate at least four tracks, and possibly five.

Mr. Harwood: Yes.

Q. And in order to lay the fourth track, you would have to get an additional right from the State? A. No, four tracks, just as they are now.

Q. I thought the Act of 1846 said two or three tracks.

Chairman Van Benschoten.— You can add.

A. We had all the rights under the general law.

Q. That is broadened there, except that crossing 59th street you could add any additional tracks up to the limit of your right-of-way? A. Yes.

Q. And those subsequent ordinances of the city, under which you have increased your facilities below 59th street, for instance the ordinances of 1849, you made substantial increases, did you not? A. Yes; we went from Canal to Chambers street.

Q. That has been abandoned anyway? A. Part of it, you see part of that is the way to St. John's Park, south of it, St. John's Park, the tracks were abandoned.

Q. Do you consider that the rights you got under the ordinance of 1849, different from the ordinance of 1847? A. No.

Q. And these subsequent ordinances, running right down to date, do you consider those rights are the same character as under the ordinance of 1847? A. Some of those ordinances specifically reserve to the city the right of revocation.

Q. Apart from that — A. The same, practically, except the right of revocation.

Q. Then, that theory would be that you have under the Act of 1846, a sort of continuing opportunity to get a new assent of the City to get a location on a new street? A. Yes.

Q. That the Act of 1846, in that aspect, is a continuing offer from the State, notwithstanding the new constitutional rights of the city, the city's rights in the streets will pass to you under the Act of 1846, by assent, by an ordinance? A. We go to the city; whether the city's powers as to granting a right are any different or not, we go to the city, or would have to go to the city for any additional right, and we have done so.

Q. And your theory is that the rights, when you get the assent of the city, are under the act of 1846, just the same as those you get under the ordinance of 1847. A. Well, under that Act and subsequent acts which modify it.

Q. So that in that aspect, the Act of 1846, and the subsequent acts similar to it, were repealed or amended,—your rights to get further rights under the streets would be destroyed on that theory. A. Not only 1846, but the whole railroad law would wipe it out. We are not under 1846 alone. We are a corporation in the State of New York and hold powers under the Railroad Law.

Q. Those ordinances give you a right to lay side tracks and switches, and so forth. I think that was the ordinance of 1847 which gave you that privilege, did not it, to locate in certain streets, and not only to lay your tracks, but also such side tracks as may be necessary. A. That, in some way.

Q. Is the theory that that gives you the right to create and operate a terminal, or is it simply side tracks, or is there no difference? A. Well, I do not know.

Q. Do I understand correctly that you do not feel that the Acts of 1869, either with or without the consolidation under that Act — you do not feel that you gained any additional rights in the streets? A. By virtue of consolidation?

Q. By virtue of consolidation, and by virtue of the extension of the corporate existence to 500 years, your rights in the streets were any greater or any less than before the consolidation. A. The same.

Q. And that your later consolidations right down to date that you mentioned yesterday, that is, you take it, have not affected in any way your rights in the streets. A. The rights are the same.

Q. Do you have in mind the city assessment, or rather the special franchise assessment on your rights below Spuyten Duyvil?

Chairman Van Benschoten.— That is a matter of record. A. It is stated. I have given it. Mr. Rounds, in there, both the real estate and the other.

Q. You have mentioned the large value of your rights in the streets as being in the nature of terminal rights, because of the large and extensive railroad properties behind, running to Chicago; do you take it that those rights gain in value every time you buy a new railroad in the west and connect it up; that is, is it of any greater value because you would double your western roads? A. It may be more important.

Q. So that in that sense, the value of your New York rights might be increased by every purchase? A. I do not know. I would say they would increase, I would say more and more interests depend upon them, and the more there is to be fed into them.

Q. I asked you informally yesterday, if you would care to state to-day your idea of the Legislative rights over your franchises here in the city; what are the limits of the power of the Legislature; would you care to make any statement about that? A. I am pretty tired now.

Chairman Van Benschoten.— I do not know if Mr. Rounds thinks that is necessary.

Q. Would you care to make a statement? A. I would be perfectly willing to make some statement either now or at some other time, but I do not know how long it would run to.

Q. Would you care to give me a written statement? A. I will come before you again.

Q. Rather than do that, make a written statement.

Chairman Van Benschoten.—Any particular further questions.
Mr. Rounds —

Commissioner Rounds.—It is just one or two — about three questions along this general line.

Chairman Van Benschoten.—It would not require an extended answer. I do not want to bring you down here for one or two questions; that is the point, although, of course, Mr. Place, I do not want you to go on if you are tired, but I thought your answer to that question might be brief.

Q. Would you rather file later an answer to that, Mr. Place?

A. I would rather come before you at any time. I do not know that I am intending to file any brief on the law on this question.

Chairman Van Benschoten.—Read the question.

(The question was repeated by the stenographer as follows):

“Q. I asked you informally yesterday, if you would care to state to-day your idea of the Legislative rights over your franchises here in the City; what are the limits of the power of the Legislature; would you care to make any statement about that?”

A. Take this — the “power reserved to the Legislature, to alter, amend or repeal a charter, authorizes it to make any alteration or amendment of a charter granted subject to it, which would not defeat or substantially impair the object of the grant, or any rights vested in them, which the Legislature may deem necessary to secure either that object or any public rights.”

Now, that language is quoted with approval by Judge Cullen in our case, and just what the limits of that are, of course I cannot tell.

By Commissioner Ainsworth:

Q. That is a question of fact; that reaches the point of confiscation, then it can go no further. A. Specially I have the opinion of the same learned judge, he says and thinks, and I think so, too, that the so-called Ottinger bill went beyond those limits.

By Commissioner Stoddard:

Q. Is that a new opinion, has that been made public, that opinion? A. I have got a copy of it, it was given to me.

Q. You have a copy; but has anybody else got it? A. I will give it to you.

Q. Is it a recent opinion? A. About the time the Ottinger bill was being passed.

Q. Is that something recent? A. No; you have got a copy of that; I gave it to Judge Clark.

By Commissioner Rounds:

Q. Would you feel that the principle of the Queens County Gas Company case, compelling the company to extend its franchise in an unprofitable direction, would allow the State to compel the extension by the railroad company, of its facilities here, to serve the public? A. I cannot tell what the courts may hold about it.

Q. And then, as to compelling joint user, would you care to express any opinion? A. No.

Q. And, on the question of the power of Congress, in regulation of interstate commerce, your track is owned, as far as Chicago, I think you said yesterday? A. Yes, sir.

Q. Well, that makes, does it not, a very large part of your freight interstate commerce? A. Very large, yes.

Q. Well, then, might it not be true that in so far as regulation of the terminal or changes in the terminal, or terminal rates were in question, might not the courts have the power — A. Terminal rates?

Q. Yes; the rates for switching service, and so forth, in a joint terminal? A. We file tariffs and all charges connected with transportation, switching charges, and everything else.

Q. Then might it not be that Congress would have some power in determining this — A. The question of rates?

Q. The matter of operation in the terminal? A. I do not know about operation. They have power over rates.

Q. Do I understand you that your company probably would or would not be inclined to carry out the 1916 plans now; you have stated some objections to the 1916 plan? A. There is no reason why I should state that we would.

Commissioner Rounds.— That is all.

By Judge Clark:

Q. May I ask one question — it is only one? A. All right.

Q. Because I want it on the record. I understand that one of your objections to the Ottinger bill is the mandatory provision for the periodical readjustments of rentals; is that the attitude of the railroad? A. Yes.

Chairman Van Benschoten.—Let me take the opportunity of thanking Mr. Place for giving us two long sessions.

The Witness.—There is no need to thank me.

Chairman Van Benschoten.—For giving us the facts, and relating to the acts which have already been done, and as to your views of these matters.

Our next public hearing will be held Thursday afternoon, December 27th, at 2 o'clock P. M., and Public Service Commissioner Hervey and Dock Commissioner Smith will appear as witnesses.

(Whereupon, at 5:15 o'clock P. M. on the 20th day of December, 1917, the hearing in the above-entitled matter was adjourned to December 27, 1917, at 2 o'clock P. M.)

(Next Exhibit No. 27.)

COMMISSION ON WEST SIDE IMPROVEMENT

CHAMBER OF COMMERCE, NEW YORK,

December 27, 1917, 2 P. M.

PRESENT:

Chairman Van Benschoten; Commissioners Stoddard, Todd, Miller, Ainsworth, Rounds and Beard; Judge Clark and Secretary Niles.

The Chairman.—Will the Commission come to order.

Mr. Hervey, will you raise your right hand and be sworn.

Charles F. Hervey was called as a witness and being duly sworn by the chairman, testified as follows:

By Judge Clark:

Q. Mr. Hervey, I do not need to say anything to you about chapter 720 of any of these laws, probably. I presume you know

something as to the hearings we have held so far. We have had Mr. Tomkins, Comptroller Prendergast, and Mr. Place of the New York Central Railroad Company, who testified here already; and we expect to have a number of other gentlemen.

But we want on our records, the Public Service Commission's point of view in connection with all these things. Before we ask any questions, I understand you have put some of the matter you wish to present in the form of a statement which you would like to read as a part of your sworn testimony. We would be glad to have it now. A. I do not want to burden the Commission by reading this, but it is probably better to do it in this way.

A word should be said at the outset regarding yesterday's action of President Wilson in taking over the operation of the New York Central and the other railroads of the country for the period of the war, and the probable effect of that action on the solution of the West Side problem. Under the terms of the presidential proclamation it must be frankly recognized that without the consent and full approval and co-operation of Mr. McAdoo and the federal authorities, no mandate or order of the Commission or any court, much less of municipal authorities, requiring extensive work of reconstruction of tracks and facilities, can with any likelihood be made effective against the New York Central Railroad Company during the period of the war. Solution by exercise of the State's regulative or police powers must most inevitably await the end of the war and the return of the railroad property to private operation. Likewise, there can be no actual ouster of the railroad by compulsion or judicial process from property it now occupies, during the period of the war. The federal authorities would countenance no such interference with continuity of operation. Judicial determination that the railroad corporation has no right to use and occupy given areas there may still be had; that may go forward during the war and during public operation of the privately owned railroad property. But, of course, the federal operating authorities will not permit actual ouster of the tracks and facilities from lands owned either by the corporation or by the public.

I have great hope and confidence that if the war and federal operation continue for any considerable period, Mr. McAdoo and

his associates will perceive the importance of this west side improvement as a war measure. It is inconceivable that a government which may spend a billion dollars to readjust railroad properties and equipment so as to enable better and larger service by the railroads in aid of the war in Europe, will leave untouched a terminal situation so inadequate and ill-suited, along the finest waterfront in the nation's largest port. I know of no way in which \$50,000,000 could be spent to give a larger increase in the port and terminal facilities, vital to war industries and the clearing of materials and supplies for the war areas. The Public Service Commission will make every effort to bring Mr. McAdoo and his associates to realize the national importance of the early carrying out of such a plan as the Joint Conference Committee outlined.

Of course, if nothing can be done during the war period to compel the railroad company to comply with the requirements of the Ottinger law, the situation is all the more favorable for the immediate starting of such judicial proceedings as will clarify and determine each phase of the company's rights along the west side. No added delay will be produced by the pendency of such litigation. In fact, I am advised by counsel that with the preferences granted to litigation of this kind, in which the Commission or the city is a party, all such matters may be cleared up within a couple of years. If the railroad is not to go back to private operation but is to pass to government ownership, the government should not be left to pay the railroad company for lands and rights it does not own. If we are to have private operation again as soon as the war ends, and can then enforce orders against the railroad corporation, it is clearly best to have all questions of rights and titles determined meanwhile, during the unavoidable period of delay.

Before going into my testimony, I should like to state the views of the Joint Conference Committee and the Public Service Commission as I understand them in regard to certain matters which already have been referred to, in order that this Commission may have clearly before it the points of difference as to certain matters which we regard as fundamental.

As to the Act of 1911, it is our understanding that chapter 777

of the Laws of 1911 was prepared by the New York Central Company. There appears to be a conflict in the testimony thus far on this point, Mr. Tomkins taking responsibility for the Act; Mr. Prendergast stating that he believed it was drafted in the first place by Mr. Place, or those acting for him, and Mr. Place's statement that he assented to the provisions of chapter 777 of the Laws of 1911. By comparing this Act with an earlier Act prepared by Mr. Place, passed by the Legislature in 1909, the similarity of language and the intrinsic evidence would seem to confirm Mr. Prendergast's statement that this Act was prepared by Mr. Place or those acting for him.

With regard to the proceedings under the Ottinger Law, I call attention to the fact that although Mr. Place states that the proposals of the Joint Conference Committee make it impossible to proceed under that Act, it was nevertheless conceded by Mr. Tomkins that the plan evolved by the Joint Conference Committee was the best which had thus far been advanced and at the public hearing on the tentative proposals of our Committee no objections were raised and they met with practically unanimous approval on the part of many (I think all), of the civic organizations which had objected strenuously to the 1916 agreement. With regard to Mr. Place's objections to the Ottinger bill in that it provided for rentals in excess of taxes, I desire to call attention to the fact that a similar provision occurs in the Rapid Transit Act and is incorporated in the certificate by which the New York Connecting Railroad Company was built by the New York & New Haven and Pennsylvania railroads. His further objection that the railroad had to pay the entire cost of elevation or depression is without force as that has been done time and again and been sustained by the courts as Judge Cullen pointed out in the earlier case of the New York Central.

With regard to the assumption made by Commissioner Stoddard that probably no one would have invested in the Hudson River Railroad in 1846 had not a perpetual right in New York city been given them, I desire to call attention to the fact that under the provisions of the Act of 1846 as originally introduced there was a recapture clause operative within fifteen years; that the franchise was only granted for fifty years and that under the Act

the entire capital stock of the railroad was to be subscribed before March 1, 1847, which was before the passing of the ordinance of 1847 by the Board of Aldermen on May 7th of that year, without which it was conceded that the railroad would have had no rights in the City of New York.

As to the fact that no extensive plans prepared by the Joint Conference Committee were submitted to Mr. Place, we desire to call attention to the fact that the plans under the 1916 agreement were prepared in the railroad company's offices and that our proposals were based upon a modification of those plans.

With regard to the mid-block construction south of 30th street, it was the understanding of the Joint Conference Committee and the Public Service Commission that this was a proposal of the railroad company and the inconsistency between Mr. Prendergast's testimony and his earlier statement to which attention was called is thus clarified. As to this mid-block construction, the Joint Conference Committee was entirely clear that the reason for the construction was the advantage which would be gained by the railroad company's dividing the blocks south of 23d street in such a manner as to have given the New York Central an absolute monopoly of this territory, as there would not be sufficient room between the waterfront and their private right-of-way for freight terminals or warehouses to be erected and used by the Jersey roads and it would have made perpetual the present use of piers as freight warehouses by the Jersey roads and would have forced the city to surrender many piers to railroad purposes which could better be used for water traffic. Another objection to this plan was that it would have prevented the development of territory south of 30th street into a terminal for all railroads, a plan which the Committee and Commission both have had in mind.

With regard to the situation from 30th street to 60th street, the testimony of Mr. Place very clearly states our objections to the 1916 plan; the New York Central had provided itself under that plan with an exclusive right-of-way and apparently from Mr. Place's last statement insists that any new agreement shall similarly provide. While it is true that under the 1916 plan provision was made so that two additional tracks

might be added to the westerly of the four tracks owned by the New York Central, the original agreement provided cross-over rights only for a municipal railroad. This was remedied when chapter 719 of the Laws of 1917 was before the Governor but the concession cited in Mr. Prendergast's memorandum to the Governor, did not obviate the difficulty which we felt the 1916 plan created. The additional two tracks if built could only have been built by the city under the original agreement, or if built by some other railroad company after the agreement was modified when it was brought to the attention of the Governor, the use of those additional tracks would have been subject to the domination of the New York Central to such an extent as probably to have rendered it impracticable for the Jersey roads to have attempted their use for the following reasons: In order to cross into warehouses or terminals to the east of the New York Central tracks, the roads using the marginal way would have been subject to any rules and regulations which the New York Central might have imposed as to the crossing of its tracks. The city was to provide the crossing and interlocking devices across these tracks but they were to be operated by the New York Central. Each time the Jersey roads crossed the tracks, there would have been some interference with the New York Central traffic and the extent and reasonableness of the regulations of the New York Central would have been a constant source of contention between the roads and it would have been entirely possible for the Central to impose such conditions as would have so delayed the moving of freight from the marginal railroad to the warehouses as to have created an operating obstacle to the Jersey roads, which would have prevented fair competition with the New York Central. The same conditions, perhaps more aggravated, would have occurred when, in order to remove empty cars from the warehouses, the New Jersey roads would have had to use the New York Central tracks for switching purposes, and could have only gotten their empty cars out of these warehouses with the consent or permission of the New York Central and I fail to find anything in the contract requiring the New York Central to give such permission. For these reasons we were convinced that provided the Jersey roads desired to take advantage of those opportunities, the only proper

operation between Thirtieth and Sixtieth street was a joint operation which the railroad then and still does refuse to agree to, although Mr. Prendergast stated in his report that "the officials of the railroad stated to your Committee that in all probability it would be impossible to arrange in the future for the handling of such business at the capacity of the contract." Mr. Prendergast states that he did not recall that Mr. Place ever said that the railroad was ready to make such an agreement so that the city could be assured of it before the contracts were signed.

More vital objections to the Joint Conference Committee to the 1916 plan come from the recognition in that agreement that the New York Central had a vested right south of 59th street and the plan to purchase from the railroad company land which it did not own, north of 72nd street. It seems perfectly clear to the Joint Conference Committee that if the railroad company has no city granted rights south of 59th street, the city had not the power to buy from the railroad a part of a franchise granted to it by the state. As we understand the 1916 plan and specific language of the contract and the deed, the railroad purported to convey to the city an easement in the streets south of 59th street. Of course, it being elementary that the right to operate under a franchise does not create an easement, we necessarily assumed that the plan of 1916 was to be justified under the theory that by the ordinance of 1847 the city had granted certain rights to the railroad company and that it was for the redemption of these rights that the city was allowing the railroad company approximately \$2,000,000. If the railroad company had no such property rights from the city, we were advised that any attempt by the city to buy part of the railroad's franchise was beyond its power in the first place; it would be totally ineffectual in the second place because a franchise as a matter of law is indivisible, and third if the rights were based upon a franchise then the state had clearly the right under its reserved power to repeal and amend the franchise, to dispose of this right, without the city having to pay \$2,000,000 to get rid of it. Finally, if the rights of the railroad were purely franchise rights, we were advised that the payment to the railroad company of any amount of money by the city would still have left the franchise rights

surviving until some action was taken by the state. Assuming this to be the basis of the 1916 plan, we had our counsel inquire into the question of the nature of the company's rights and we were advised that it had no rights under the ordinance of 1847 which were not revocable, and that therefore the contract was improvident in recognizing such a claim by the railroad and paying a large amount for it.

Prior negotiations had apparently been conducted upon the unsupported and unproved assumption that the railroad company had a right-of-way in perpetuity. An investigation of the matter has established the fact to our satisfaction that no such right exists and that any contract which proceeds under any such theory is unfair to the city. We did not assume that Judge Hughes had passed upon this phase of the question as Mr. Prendergast has stated to your Commission and were unwilling to proceed upon any such assumption as Mr. Prendergast states that the railroad possesses a practically perpetual right to operate upon the West Side. We felt that it was of the utmost importance to determine the nature of this right, especially in view of the fact that the railroad company claims that it may be worth from one hundred to two hundred million dollars in condemnation proceedings and it was the feeling of the Joint Conference Committee that it was highly improper to concede a right of such immense value, even though it might take some little time to settle the question by litigation, and that the city could well afford to await the outcome of such litigation if thereby it was freeing itself of a possible claim of \$100,000,000 or more. We accordingly recommended the repeal of the ordinance, in order to first determine the question. We felt that it was impossible, in view of the railroad's decision, to consider terms of a new agreement until what had been called the railroad's perpetual right had been definitely determined, for the simple reason that we could hardly enter into negotiations for something until we found out who owned it.

As to the nature of the company's rights in the streets and avenues, I also desire to call attention to the fact that only one ordinance has been passed affecting the situation and that the original ordinance of 1847 and that subsequent action by the city was pursuant to resolutions of the board of aldermen, and not

ordinances as has been stated at the earlier hearings. We were advised by counsel that whatever might be the situation with regard to the original ordinance, these later resolutions were clearly revocable, because they were passed by the city without any statutory authority; in other words, that the Act of 1846 provided for the passage of only one ordinance, namely, the ordinance of 1847, and that subsequent resolutions were mere permits.

This becomes particularly important in view of the fact that a great deal of the railroad construction south of 59th street is based upon these resolutions and that the revocation of any such resolutions would dispose of any claim or right by the railroad company to a great part of its present uses. If the railroad company's claim is solely under the franchise, then the subsequent resolutions not authorized by the act of the Legislature could in no way enlarge or affect the rights of the railroad company.

As to the title of the railroad company in its right-of-way north of 72nd street, we have had an exhaustive investigation made and in our draft of a proposed contract, we specified eight or ten kinds of titles for which the city should not pay the railroad company because the railroad company does not own the fee. I am in fact told that the title of the railroad company, north of 72nd street and through Riverside park, is in the main defective and in a very few cases represents the fee ownership of the land, and even where the title is good it is confined to a mere right acquired by purchase or condemnation for railroad purposes only. It is to be noted that the proposed deed from the New York Central under the 1916 plan contained no warranty of title below the high water mark. These matters of titles I shall be glad to have our counsel go over with you, if you care to call for their testimony. We felt with regard to the 1916 agreement which proceeded upon the theory that the railroad company owned its right-of-way, with an allowance of half a million dollars to the city for defective titles, that the city should not buy from the railroad company what the railroad company did not own in fee and could not sell, particularly the land under water and in Twelfth avenue.

As far as we can ascertain, although Mr. Prendergast states that an exhaustive investigation was made of the railroad's title

no search was made as to land in street openings. In other respects our counsel did not agree with conclusions reached by subordinates of the corporation counsel. This matter is of particular importance in connection with the ordinance of 1847, for the reason that the railroad's right-of-way north of 72nd street is largely along the line of Twelfth avenue and below the high water mark and if the right of the railroad company were terminated to operate in streets and avenues, it would wipe out the claim of title to a great many parcels north of 72nd street. It is further important because, as we are advised, land owned and acquired for railroad purposes is subject to legislative control in its use. The matter of titles seems particularly important in view of the fact that the 1916 agreement was based upon an exchange of property, a theory in which the Joint Conference Committee does not concur, but apart from its own views, the Committee could not approve an exchange of properties until it had been definitely settled, that the city received *quid pro quo* and was not merely entering into a nugatory agreement which purported to buy as fee ownership a mere right owned for railroad purposes and which could not, as such, be used for park land or street purposes after it was acquired. It seemed to our Committee that if the railroad company had no property rights in the streets of New York, acquired under the ordinance, but were in those streets, as Mr. Place now states; solely under its franchise, any exchange between the city and the railroad would be effective, if at all, as an exchange of franchises. According to Mr. Prendergast's testimony in connection with the 1916 agreement, the present rights of the railroad company were fixed at about \$12,000,000, and the new rights were estimated to be worth about \$25,000,000. In view of Mr. Place's statement that the condemnation value of the present rights would be between one hundred and two hundred million dollars, applying the same ratio as that suggested by Mr. Prendergast in the 1916 appraisal, the new rights of the railroad company would have a value of from two to four hundred million dollars and the railroad in exchange, in consideration of the improvements, which it agreed to make for the city at a net cost of about \$8,000,000, over the value as fixed by the agreement for city property turned over to the railroad would have received on this kind of reckoning

additional rights worth from one hundred to two hundred million dollars.

On such a basis the balance does not seem to favor the city as Mr. Prendergast's written and published statements would tend to show. I should like to call the Commission's attention to the fact that in 1909, according to Mr. Place's statement, the West Side rights of the New York Central were assessed for the purpose of the special franchise tax at \$4,467,500, and not at one hundred to two hundred million dollars as he now suggests is their value, which in any event it seems to me is a matter which should be brought by your Commission to the attention of the State Department.

Finally, I wish to state the views of the Joint Conference Committee, with regard to further legislation. It seems to us if the question were once settled that the rights of the railroad company came solely from the state under chapter 216 of the Laws of 1846, that act could be amended in such a way as to force the railroad company to go where the Legislature sent it. We do not take the view which was expressed by Mr. Prendergast that it would be dangerous to trust the powers of the state to city officials for fear that there might be vocal demand on those public officials to use that power in its full limit. In view of the railroad's refusal to even consider the proposals of the Joint Conference Committee, we felt that the time had come to exercise the full power of the city and state.

After reading Mr. Place's testimony to the effect that his rights came solely from the state and that the only limitation upon the state's power is that expressed by Judge Cullen, that such alteration or amendment of the charter could not substantially impair or defeat the object of the grant or vested rights under it, personally it seems to me that the solution of the difficulty is clear. Inasmuch as Mr. Place drew the Act of 1911 and accepted the 1916 agreement, it seems quite clear that so far as that agreement provided for the relocation of the railroad, the elimination of grade crossings and the discontinuance of the use of steam, Mr. Place should not object to an amendment of the Act of 1846, which accomplishes these purposes.

It can hardly be said that if the Legislature were to force the

railroad to do what it agreed to do, that such an exercise of power by the Legislature would defeat the original franchise.

The Joint Conference Committee became convinced that the railroad company insists on a privately owned perpetual right-of-way and would consider no voluntary agreement which did not so provide. Having reached this impasse, the issue cannot be avoided — either the state and city can dictate terms to the railroad company, or the railroad company is in a position to dominate the city. The answer must come in a final, legal determination of what the railroad now has and we believe that it is wiser to strike at the root of the matter by a repeal of the ordinance and an amendment of the charter than to attempt roundabout measures which will eventually meet the same legal resistance by the railroad company. It is safe to say that any mandatory legislation will be fought by the railroad company on precisely the same grounds that it would resist a repeal of the ordinance or an amendment of its charter and time will be lost rather than gained by putting off the time when the exact nature of the railroad's rights, if any, is defined and decided.

To recognize an existing property right on the streets of New York or to grant such a perpetual right as was planned in 1916, seemed to our Committee a surrender of the city to the railroad on a mere assumption of an existing right, the result of which would have been to put the New York Central in a position to demand from hundreds of million dollars for its rights or else to dictate or obstruct the terminal policy and improvement of the harbor of New York city for the next 500 years.

Q. Mr. Hervey, you were a member of the Public Service Commission of the First District, and were a member of the Joint Conference Committee? A. I was after Commissioner Hodge went to France.

Q. And this statement you have just made covers the comments you desire to make on the 1916 plan? A. Yes.

Q. Is there any discussion or comment upon that plan which you want to make, outside of this statement? A. I think not.

Q. You were familiar with the bill known as the Ottinger bill, which afterwards became chapter 719? A. Yes; as familiar as any layman can be with the law.

Q. What was that bill intended to effect, which was not acted by the act of 1911, under which the prior transaction occurred? A. I would like to ask what you mean.

Q. What was the object of the Ottinger bill? A. I assume the object of the Ottinger bill was to prevent an improper bargain between the railroad and the city; and failing in securing that was regarded as a proper bargain, whatever evils existed on the West Side were to be cured by the mandatory provisions of the act.

Q. What were the provisions of the Ottinger bill which cured the situation? A. With respect to the voluntary bargaining?

Q. Yes. A. It left the voluntary bargaining only with respect to rentals and limited rights, being valued by the city.

Q. The Ottinger bill did several things. First it brought in the Public Service Commission. A. I was trying to answer your question in the order in which it rests in my mind.

There was an opportunity to voluntary bargaining under the Ottinger bill which the Legislature opposed; failing that voluntary agreement, the Public Service Commission had exclusive jurisdiction.

Q. Did not the Ottinger bill bring the Public Service Commission into a function which did not exist before in connection with this problem? A. It brought it in connection with voluntary bargaining as a critic of whatever bargain was made. No voluntary bargaining could be made unless approved by the Commission.

Q. The Ottinger bill had certain mandatory provisions, not in the Act of 1911, didn't it? A. Yes.

Q. What were those mandatory provisions? A. Do you mean the provisions under which the Commission is now acting?

Q. No; I mean the provisions which affected the period rentals. The mandatory provisions affect the limit of bargaining.

Q. Yes. A. That was the particular one, the principal one.

Q. Was there not another mandatory provision as to the reduction or the imposition of rentals in addition to taxes? A. I may say that the provision with respect to the rentals was the mandatory provision of the bargaining; there was an element which was added, the rentals were not to be an offset to any taxes levied or payable against the railroad company.

Q. I am trying to get at what the representative of the railroad company, Mr. Place, in his conferences or communication with you, what it was that he objected to. There were two things: first, the periodic readjustment of rentals; and second, the imposition of taxation in addition to rentals, without allowing the reduction of the tax in addition to the rentals. A. He never mentioned the tax proposition before our Committee.

By Chairman Van Benschoten:

Q. You mean he did not raise that objection? A. He did not.

Q. You knew that objection was raised by him when the Act was being considered in Albany, did you not? A. I am not sure of that.

Q. What is your recollection? A. I was not at the hearing in Albany. I do not know whether Judge Ransom was there or not.

Judge Ransom.—I was at all the hearings.

By Judge Clark:

Q. One of those mandatory provisions has been referred to by Mr. Place. A. In his testimony here?

Q. Yes; and in his communications with you. A. Now, my recollection is not strong enough on those matters. I have not thought much on this line of inquiry.

Q. Did not Mr. Place state to your Commission that it was impossible for him to proceed with the negotiations under the Ottinger bill, because of certain provisions in it? I so understood it. A. Mr. Place's communication to us will be put on the record. Unless I refresh myself on the matter, it would be difficult for me to testify as to that.

Q. I think you will find some reference to that in one of his communications,—the fact that there was a mandatory provision which made it impossible for the railroad to proceed under the Ottinger bill.

Now, there was another provision which went into effect. I will ask you first to tell us something of the history of what happened since the Ottinger bill became a law, in connection with West Side property. A. I can tell you with respect to what our Committee did.

Q. Yes; tell us that. A. We proceeded at once to make a study, I mean at the beginning of the Committee's work we began a study of the real estate titles of the railroad company.

By Chairman Van Benschoten:

Q. Mr. Hervey, just approximately fix the time that was, if you please. A. About the last of June, when the Committee was appointed by the board of estimate and apportionment.

Q. 1917? A. 1917. And we also made a restudy of the physical situation of the railroad, and a study of the old proposals and agreements, the 1916 proposal, with respect to the plans, what part of them it might be possible to save and agree to.

As a result of these various studies, we drew up alternative proposals. We stated the features which we thought should be a part of any agreement between the railroad company and the city. I think you have those proposals in your file. I will offer this "Tentative Proposal" of the Joint Conference Committee. (Witness produces printed paper.)

Q. That is already in evidence. This report with these tentative proposals is already in our record. This report you refer to is the report of November 20, 1916? A. No. It is the tentative proposals. The tentative proposals were printed separately from that.

Chairman Van Benschoten.—I do not think those have been put in yet.

Judge Clark.—I will ask to have them marked in evidence. (Pamphlet referred to marked "Commission's Exhibit No. 27," of this date.)

Q. You made the studies and you prepared these "Tentative Proposals," marked Exhibit 27; and that was prepared by the Committee, consisting of yourself, President Marks, President Connolly, President Van Name and Commissioner Whitney? A. Yes.

Q. And after preparing the tentative proposals, what was the next step? A. We held a public hearing to give the public an opportunity to discuss or criticize these proposals, and after the public hearing, we sent a copy of the proposals, both before and

after the hearing we sent a copy of the proposals to the railroad company.

Q. Were there appearances at that public hearing? A. Yes; quite a number.

Q. Did the railroad appear? A. No.

By Chairman Van Benschoten:

Q. Just there, Mr. Hervey: When you say there were quite a number, can you give us a little more definite idea? A. I will have to refresh my memory. There were the Citizen's Union; the Harlem Board of Trade; the Chamber of Commerce; the League to End Death Avenue; Mrs. Bryan's Organization, the Women's League for the Protection of Riverside Park; Mr. Tompkins, ex-Commissioner of Docks; H. G. Wynne, for St. Patrick's Cathedral, Bryan & Kennelly, and others; Mrs. Forsyth; J. Bleeker Miller for the Old West Side Association; Lord, Day & Lord, for someone they did not disclose; Franklin Grady, for Mrs. J. Hood Wright; Washington Heights Taxpayers' Association, by B. Blauvelt; Robert L. Hoguet; Charles J. McKelvey; Charles R. L. Craig, in person; William R. Willcox; George A. Goethals, and Julius Henry Cohen, representing the New York & New Jersey Port Development and Harbor Commission, and William E. Church.

By Chairman Van Benschoten:

Q. We are to understand that all of these persons approved the tentative proposals of the Joint Committee? A. The New York & New Jersey Terminal Commission did not express themselves. The others did, as I remember. Mr. Craig criticized the lack of a subway south of 59th street; Franklin Joyce of the League to End Death Avenue, criticized another point; and Mr. Craig thought the payment of the rental should be based on the car-mileage method, or some other method like that based on use.

By Judge Clark:

Q. As a result of that hearing, were any changes made in the tentative proposals? A. I think not.

Q. It was then adopted by the Committee and counsel was directed to prepare the proposals in a legal contract form.

Q. Then what happened? A. They were so prepared, and when prepared, the railroad was notified of that fact; Mr. Place came as the representative of the railroad to meet the Committee after these proposals had been amplified into contract form, and he took away three copies of these proposed contracts. After some inquiry with respect to the plan for the swinging of Manhattanville Terminal into the east of the viaduct, I then later sent a copy of our engineer's study with respect to it. My recollection is that was the last communication we had from the railroad, except a letter which we sent later, which appears in this report.

Q. In the report of November 20, 1917, Exhibit 13? A. Yes. The Commission's letter is of November 15th, and the New York Central reply is under date of November 17th. They are set out in the report of the board of estimate and apportionment.

Q. We have that, as our Exhibit No. 15. What was the next step, Mr. Hervey, in the transaction—what was done in the whole matter? A. On the statement of Mr. Place that the railroad would make no bargain with the city under the Ottinger Law, we had no further function as a committee. I beg your pardon, today I am very tired, having been up all night. But our next step after the refusal of the railroad to bargain was to make a recommendation to the board of estimate and apportionment, and the Public Service Commission as to certain things we thought should be done in order to make possible the accomplishment of this West Side improvement. The principal ones of those was the recommendation for the repeal of the ordinance of 1847.

Q. When was that recommendation made? A. In this report, Exhibit No. 13.

Q. On page 19 of the report, under date of November 20th. A. Yes. We made this report to the board of estimate and apportionment and a similar report with respect to the others to the board of estimate and apportionment.

Q. Then, no other action was taken before the 31st of December? A. Our counsel went before the board of estimate and advocacy of this action by that board. I think our counsel made two appearances urging this action by the board of estimate and apportionment with respect to this.

Q. What did the board do? A. I think the board simply left the matter over until the first of the year, until the first meeting in January.

Q. And that is the history of all the transactions which have occurred since the Ottinger bill became a law, so far as you recall? A. No. The Commission itself has formally proceeded to exercise its jurisdiction under the car-crossing features of the Ottinger bill.

Q. When was that done? A. December 3, by three resolutions of the Committee.

By Chairman Van Benschoten:

Q. What was the general nature of this? A. There were three resolutions: One was a formal resolution to proceed under the provision of the Ottinger Law. The second was an administrative resolution directing the chief engineer of the Commission to prepare for consideration of the Commission, plans and drawings for the carrying out of the provision of the new section, section 15-a of chapter 777 of the Laws of 1911. Section 15-a is added by chapter 17 of the Laws of 1917. And a third resolution was directing the counsel of the Commission to continue, and at the earliest possible time complete a report upon his investigations as to the entire status of the company's rights, both as to their rights in the street and their claimed property rights along the West Side.

By Judge Clark:

Q. That is the last step which has been taken, is it? A. Except that the Commission and its employees are proceeding under the directions we have given them in these resolutions.

Chairman Van Benschoten.— I would state upon the record that in the printed memorandum signed by Mr. Ira Place, vice-president, purporting to be a memorandum filed with the Governor at the hearing on May 28, 1917, on Senate bill 2067, which became chapter 719 of the Laws of 1917, Mr. Place raised, among other objections, the objection that the provision that any sum or rental to be paid should not be considered in any manner in the nature of a tax, was objectionable.

The Witness.— No copy of that memorandum has ever been seen by myself as a member of the Commission, nor do I believe it has been seen by any other member of the Commission, or by the counsel to the Commission; nor do I know it was made a part of any oral argument before the Governor.

By Chairman Van Benschoten:

Q. Mr. Hervey, has the Public Service Commission changed its views as to what it believes to be the rights of the New York Central on the west side? A. What do you mean by that, Mr. Chairman?

Q. Taking the statement which you have made or read a short time ago as the present views of the Commission, I would ask you if the Commission has always held that same view? A. I think so. The first contact we had with the matter as a Commission was when Mr. Whitney and myself were made a part of the Port and Terminals Committee some time early in 1917,— the end of April or in May, 1917. Practically the points of view represented by the subsequent action of the Joint Conference Committee were indicated by Mr. Whitney and myself on our own part, in those conferences with the Joint Conference Committee. But with respect to the rental basis, and giving the railroad a perpetual easement or right-of-way, or attempting to exchange properties the values of which were not known, and other features of the 1916 bargain, were criticized, and some of the modifications to which Mr. Prendergast referred, some we suggested we accepted, and some had inessential modifications. The railroad was willing to make some modifications with respect to the railroad property. I think Mr. Prendergast referred to that in testifying after our conference with the Port and Terminals Committee.

At that time, the proposals were suggested to the Port and Terminals Committee, and were transmitted by the Comptroller to Mr. Place, and I believe Mr. Whitney and I got a letter from Mr. Place; and if it is of any interest to you, I will get the letter and put it on the record.

Q. We do not care for personalities. A. It shows the point of view we have here is the point of view we got in our earlier contact with the problem.

Q. Is this your viewpoint: "As a practical matter, while it may be regarded as fixed policy that no street railroad or rapid transit railroad should in any event be permitted to acquire a perpetual franchise or a right free from possibility of seasonable recapture, yet in dealing with a trunk line railroad which is to be asked to give up portions of route and property for which it now has rights virtually in perpetuity, it is hardly practicable to say the negotiating public authorities should have no power to confer at any point, or in any respect, a right equivalent to that relinquished. Some changes in this respect might conceivably be found practically necessary, not in creation of additional rights in perpetuity, but in equivalent substitution for rights relinquished."

A. I can answer that in this way —

Q. Is that your viewpoint, or is it not your viewpoint? A. What is that you are reading from?

Q. From a memorandum filed by your Commission before the Governor. A. I am weak in my recollection, as I said before, because I have been awake all night. May I read that, please?

(Paper handed to witness).

The Witness (continuing).— In our Commission we always permit counsel to advise with the witness if the witness wishes to.

Q. You are afforded all of that opportunity, and will be given it; but this is a simple question about which you are asked to testify, and not a question for facts. A. Yes; I accept that statement as the present statement of the Commission. We have not the slightest objection to being fair and just with the railroad. If it has a perpetual right and it is an inalienable right, and it desires to continue that, there would be nothing unfair in bargaining.

Q. Has the further investigation which the Commission has made itself, or through its counsel, since May, 1917, caused it to have a different view of what the possible rights of the railroad may be? A. That suggestion does not indicate any conclusion by us as to whether or not the road has any inalienable rights. It only says, if they have them, they should be considered. Our whole effort has been to determine what the rights of the rail-

road are on the general theory that if you are to make a bargain, you want to know what a man will sell you.

Q. Will the stenographer read the question again.

(Question read as follows): "Has the further investigation which the Commission has made itself, or through its counsel, since May, 1917, caused it to have a different view of what the possible rights of the railroad may be"? Please answer that more definitely, if you please. A. I think we have become convinced to our own satisfaction as to what the rights of the company are with respect to their real estate rights which are now under study.

Q. In the same memorandum, submitted to the Governor by the Public Service Commission, on page 27 this statement appears: "The present rights and privileges of the Company are virtually in perpetuity and yield no compensation to the city." Do I understand that is the present view of the Commission, or has it a different view at this time after this further investigation has been made? A. If you interpret that to mean that we then thought it had an inalienable right under the Ordinance of 1847, we certainly have a different point of view. The fact is, whatever rights may be assumed there—it would be fairly phrased now by the Commission if until the Ordinance of 1847 is rescinded, their rights are in perpetuity. We only depend on that ordinance or a modification of the legislative franchise; as without legislative or city action the rights are in perpetuity.

Q. In view of the fact that Mr. Place contends that the only right which the New York Central has there it derived from the Legislature under the act which incorporated it, you still feel it is important to have the Ordinance of 1847 repealed? A. Absolutely; because if that ordinance still has any value, or if it has no value, it will exist, no matter what action may be taken by the Legislature. You would leave a bomb-proof behind which the railroad company can go, unless you make a clean sweep of everything there. And then the things left are inalienable.

Q. Of course, the purpose of this Commission is to get all the information it can, to throw aside matters not essential, and to get down, as near as it can, to the real meat. That is why I

ask certain questions. Do you believe there can be any satisfactory solution of the West Side problem under the present form of the statutes? A. My answer to that must be the statement of Mr. Place, who is the bargainer for the railroad company, who says he will not make any bargain under it. If one side of the bargainers refuses to act, that is an answer.

By Commissioner Ainsworth:

Q. The question is, is there a solution of this problem possible under the present condition of the statute? That is the question, not necessarily a bargain. A. There is no solution contemplated in the mandatory provision of the act, except the dangerous use of the streets.

By Chairman Van Benschoten:

Q. The solution may be under the statute or by agreement, may it not? A. The mandatory provisions of this act do not contemplate what we would call a solution of the problem; it simply contemplates getting the railroad off the street and eliminating the use of steam. Now, park development or municipal settlement cannot be done under that.

Q. Do you think it is desirable to proceed under mandatory provisions of statutes now existing, or try to get something more satisfactory? A. I should rather not decide with respect to this statute under which, I as a member of the Commission, must act.

Q. Do you think that it is desirable to have in a statute relating to the solution of a problem like this mandatory provisions; or is it more advisable to give power to some Commission which will have freedom of action? A. I do not wish to commit anybody. I speak as an individual. My personal preference when those were passed, was that the bargaining opportunity should be entirely free, on the general theory that you could not ask two people to go into a bargain for something which was ex parte in the method itself; there should be freedom on both sides to make any arrangements. The bargaining under the original law had apparently fallen into discredit before the Legislature, and they did not seem to be willing even under the safeguards they threw around it by the Public Service Commission and consideration by the Board of Estimate, to leave to the discretion of the

bargaining parties, not to include this provision with respect to rental and periodical renewal.

Q. You say they were not right to leave out — you mean the Legislature? A. I say it was apparently so, and that was included in the act of the Legislature.

Q. You see we have to go into this at length, Mr. Hervey, as we are asked to recommend possible legislation, and you understand our attitude. Do you know who prepared the Ottinger bill? A. The bill as finally adopted —

Q. No; as it was first introduced.

Commissioner Ainsworth: The history of it?

A. I do not think I know the history of it. I do not know enough of it to testify; I know the Commission through its counsel, and through, I think, perhaps Mr. Whitney and myself, trying to aid in the drafting of the bill which was finally passed.

The first draft of the bill was drafted by Commissioner Whitney, our Mr. Semple, and myself. Mr. Semple is the assistant counsel of the Commission. It was then the subject of a conference with the Mayor and the Corporation Counsel and Commissioner Whitney and myself; and the Mayor indicated his approval of the act, or said the city might approve of it, but he would have to talk with Comptroller Prendergast before he could make that certain. Certain portions of the bill were amended in accordance with the suggestion made in the conference by the Mayor and the Corporation Counsel, and the bill was sent to Albany in that form.

Meanwhile, the Legislature had taken the original Ottinger-Ellenbogen bill, which merely put the Public Service Commission into the field. The Legislature had amended that by putting in the out-and-out limitation on perpetual franchises, and certain restrictions were put on in the Senate.

Q. Who suggested that amendment? A. Mr. Craig had drawn through the West End Association, prior to the meeting of the Legislature, he had drawn in December, what was the first bill introduced in the Legislature of 1917, the Ottinger-Ellenbogen bill. That contained only one section, in substance, and that section was the section which was the basis of the revision into

the Ottinger-Ellenbogen bill of Section 1, which is the form in which the bill was finally introduced.

Section 1, as prepared by Mr. Craig, was shorter than section 1 as finally passed, and merely brought the Commission into it, the Public Service Commission. It did not contain provision on the present lines, but merely required the approval of the Commission. In the Senate, certain amendments were offered by Senator Burlingame, and one or two other Senators, and these have been voted into the bill in the Senate.

By Commissioner Ainsworth:

Q. On the floor of the Senate, or in Committee? A. On the floor of the Senate. One of the provisions was the 50-year duration on the provision in relation to the franchise; and the bill stood in that form when we went there at the end, or practically at the end of the Legislative session. There was a conference held with the Governor and the speaker of the Assembly and representatives of the West Side Association, Senator Burlingame, and one or two other gentlemen, in the Governor's room; and the bill we brought out revised old section No. 1, and added the present mandatory features, and it was approved by that conference with the slight changes by Mr. Craig or by the public hearing provision under the mandatory provision was amended so as to make it clear it would be in view of any action taken by the Committee under that provision.

In that form, the bill was by unanimous consent substituted in both houses for the Ottinger-Ellenbogen bill, as it stood at that time. In the Senate, Senator Ottinger and Senator Burlingame and others accepted the bill after this revised draft in the form which the action of the Senate had amended it; and it was passed in both houses with two votes.

By Commissioner Ainsworth:

Q. I would like to ask who introduced the original bill which Craig drew? A. It was introduced by Senator Ottinger and Senator Ellenbogen in the Senate and Assembly, and this bill was simply substituted at the end, or at the latter part of the session. The bill drawn in the Commission was a later measure than the original Ottinger-Ellenbogen bill. The original bill had been

drawn in December and introduced in January. The bill drawn by the Commission was drawn first in April, and it was the subject of conference about the first of May, and was put into the Legislature by the first part of May.

Q. But both were introduced by Ottinger? A. Yes, sir. The bill simply became a new printing number in the Legislature.

By Mr. Stoddard:

Q. The original Ottinger bill did not contain these mandatory provisions drawn by your Commission? A. Under the revision of the Ottinger-Ellenbogen bill which had been prescribed to the Commission, that is in the form to which it had been revised after the conference of the Mayor and Corporation Counsel, we took that to Albany and began to confer with members of the Legislature who were unwilling, they were unwilling for the Public Service Commission to be brought into the situation so as to leave the thing without restriction on the duration of the rental and the readjustment of the nature of the rental; and as a consequence of the insistence of the members of the Legislature on the provisions now contained in section 1, by way of limitation on the bargaining power, we put into the bill, although the Commission had felt it was not necessary to put those things into the bill, as the Commission in its report to the Governor and to the Port and Terminals Committee of the Board of Estimate, had said those things were requisite of any agreement, but had embodied them in the body of the bill as statutory essentials.

By Commissioner Beard:

Q. Why did the Commission think it desirable to intervene with its proposal? A. The Commission had been requested by the Governor earlier, in March some time, to make an examination of the rights which were involved in this proposed 1919 bargain, and thereby through his official direction, we were brought immediately into the controversy.

By Commissioner Ainsworth:

Q. But before that, this bill had been prepared by Judge Ransom and these other gentlemen? A. No; my recollection is that the Commission members, Mr. Whitney and myself, and

Judge Ransom and Mr. Semple, did not go into this matter until April; and I think it came largely through our previous contact with the subject. Mr. Craig's bill was prepared in December; that was the original Ottinger bill, and this one prepared by us was a substitute.

By Commission Beard:

Q. In vetoing, on behalf of the city, this bill, the Mayor says: "This bill evidences the extent to which some members of the Legislature are prepared to sacrifice the public interest in the accomplishment of a purpose that is wholly political. The whole movement culminating in this bill, to frustrate a proper and equitable settlement with the New York Central Railroad of its terminal freight situation on the West Side of Manhattan Island, was inspired and accelerated by a single disreputable newspaper of this city, and furthered by the efforts of a number of members of both houses of the present Legislature, and had as its sole purpose the attempted public discredit of the city administration." Would you think that an accurate statement? A. It might be his point of view. I think the proposed bargaining was discreditable, and I think that because the public so regarded it as shown in the results last November.

By Commissioner Stoddard:

Q. Not discreditable; you do not mean that? A. I say the bargain was discredited by the public, and I think the belief is partly shown by the vote last November.

Q. Would you rather say "discredited" than "unwise"? A. I am saying the vote discredited.

Q. It is pretty hard to determine the popular vote as a discredit. It may be something else. A. I think I have answered.

By Chairman Van Benschoten:

Q. Mr. Hervey, if the Commission were able to compel the railroad to make a change of grade, such action as has already been set in motion, what, in your opinion, would be the general effect as to the rights and privileges which the New York Central might have? I ask that question in connection with this statement. I notice the Mayor in this same veto memorandum

said that if a change of grade were made, it would result in exclusive control of the New York Central for the West Side. You have contemplated action in view, and if any question borders on any action you contemplate, you may call our attention to it. A. I would prefer not to answer, in view of action the Public Service Commission has now taken.

Q. You would prefer not to answer it in view of the action which the Public Service Commission has now taken? A. Yes, sir.

Q. Is there any objection to stating in a general way, what the views of the Commission are as to the rights of the railroad at the present time? A. I think I have done the best I can as reflecting the point of view of the Joint Conference Committee. With respect to these rights, I can only say that that expression represents Mr. Whitney's view and my view. We are the only two members of the Commission who are in the Conference Committee.

Q. So these views that appear in any reports of the Board of Estimate and Apportionment, of November 20th, are the views of the Joint Committee, and do not purport to be the views of the Public Service Commission? A. Yes, sir. Only two members of the Commission happened to be members.

By Commissioner Ainsworth:

Q. As a matter of practice — and I do not believe it is giving away the rights of the Commission, if you express your personal view on it at least, — you have asked the city authorities to pass a resolution repealing the Ordinance of 1847. Assuming they comply with your request, what is the next step you contemplate taking towards a solution of this question? A. Assuming they repeal the Ordinance of 1847?

Q. Yes. A. There is nothing to prevent a bargain being made by the city and the railroad company at any time before we exercise our jurisdiction, in the mandatory features of the act.

Q. In view of the attitude of the railroad authorities, that they will not negotiate under the provisions of the Ottinger Act, then what does your next step contemplate? A. It would not be a part of my duty as a public officer to state that; that would lie

with the Board of Estimate and Apportionment. If they oust the railroad from the use of these streets —

Q. They will only pass the ordinance you have requested. That is not like the Constitution. When you have done that, what is the next step you contemplate? A. I cannot suggest what the Board of Estimate will do.

Q. But the Board of Estimate would have no jurisdiction, having passed that act. Under the Ottinger bill, the power does rest with you. A. Then it would be up to us to oust the railroad if they had no right there.

Q. Then, supposing the railroad company procured an injunction as they did before, restraining any interference with that property, then you have the same road to travel which has been just traveled? A. Yes. But you have then decided a fundamental point, and not a collateral one.

Q. The only difference would be you have before you start, the repeal of that order or ordinance; but if it be true, as the opinion of the lower Court seemed to indicate, and I think expressly states, that the rights of the railroad company were acquired from the State and not from the city, is that the narrow margin on which you contemplate litigation? A. I would only suggest an effort to answer your question. I being only a layman and you a skillful lawyer —

Q. Leave out the last part and I quite agree with you. A. I, as a layman, believe that everything should be done to make the problem as simple as possible; and that is the basis for the request to rescind this ordinance and simplify the bargaining between the railroad and the city.

Q. You do not base it as a necessary step in determining the right of the railroad company? A. Absolutely. But you cannot go or get to the bargaining point with the railroad, unless you know what rights they have.

Q. If the contention of the railroad is that they acquired no rights from the city, but got them all from the State, then the repeal of the ordinance has not determined anything, has it? A. I will answer by saying that that condition has not been met by the railroad or by Mr. Place.

Q. We will assume it is his contention and that of the corporation. A. If they want to stipulate that is true, it will make the repeal of the ordinance unnecessary. That is the layman's view. Now, I will see the lawyer's view.

Q. I am interested, Commissioner, vitally interested, in seeing what is to be accomplished by the repeal of the ordinance of 1847. Does it mean that the opportunity for dicker and bargain is so widely open, or does it mean it is a necessary step to the determining of the legal rights of the railroad in the streets? A. It might be necessary to have it done for both reasons.

Q. Well, if the position of the railroad company is that they did not acquire any of their rights from the city, it could not be an aid to the negotiations. A. Whatever your hypothesis, you have the ordinance in effect. Whatever point of view you take, whether Mr. Place's view or our view or another, you still have under that ordinance, whatever rights exist in the picture. And if they are revocable rights which the city has given and can retake, and they are retaken, then the city is in position to be satisfied with respect to that point.

Q. But the passage of the ordinance of repeal would not be a judicial determination upon that question at all, would it? A. You would have to have some other questions to get it into court.

Q. Well, is the motive to get it into condition for getting it into court, or that it makes it easier for paving the way to a settlement? A. I should think it would be important to have it for both reasons.

Q. Well, how can it have any possible value in view of the settlement by negotiations? A. The railroad claimed it had a right — something to sell to the city — an easement in the streets of the city. Where does it get that right? From the ordinance or the franchise? Or how can it get it from the franchise? As long as you have that ordinance effective, you have a bomb-proof point which the railroad company can get at at every point of the fight. You have a strongly entrenched enemy on the battlefield. You clear that out, and the city has everything back which it had a right to have back. If it had no right, then it must pay for it.

Q. But passing the ordinance does not determine that. It must still be determined by the court in view of the railroad's attitude and the attitude of your Commission. A. Very likely. I think we all recognize it means litigation; but we think the road being traveled on that basis would answer all the questions to be answered.

Q. That is, you would differentiate between the opinion of the Court in 202 New York, by the fact that the city had repealed the act of 1847? A. Yes.

Q. You seem to think that the railroad, in your judgment, has no right in the streets below 72nd street. You seem to think its right above 72nd street is not continuous, but is formed of links. A. I think they have no rights not revocable below 59th street.

Q. And its rights above 72nd street, they do not constitute a continuous line, but it contains broken spaces? A. Yes; where it runs on the lateral streets.

Q. I think you said the title they obtained from some grantors was defective. A. That was a discussion of the 1916 bargain. In the 1916 bargain they were selling the right-of-way to the city and getting another right-of-way in return. They were selling some pretty bad titles.

Q. Do you think the right above 72nd street is not clear? A. I think there are a great many bad titles.

Q. I mean the franchise right. A. So far as their present right-of-way may lie in 12th avenue or any north and south street, their right-of-way there depends on the ordinance, and if the ordinance is rescinded, their rights disappear to the extent they lie on those streets.

Q. Assuming you were successful and got a judicial determination that the railroad has no rights on the streets, what is your next step? A. I cannot project myself into the minds of the Board of Estimate and Apportionment. I assume they would get a proper result.

By Chairman Van Benschoten:

Q. You mean the Public Service Commission would have no jurisdiction; it would lie with the Board of Estimate and Appor-

tionment? A. I cannot say with whom it would lie; we would have no jurisdiction.

Q. Mr. Hervey, we know, is not an attorney. A. I think the Commission is entitled to know the elements which make my point of view.

Commissioner Ainsworth.— I wanted to see where the contemplated step you are thinking of taking would eventually lead — whether a solution of it is possible.

By Chairman Van Benschoten:

Q. Mr. Hervey, I have seen public announcement that the Commission expected to recommend certain legislation. That is being contemplated, is it? A. With respect to this proposition?

Q. Yes. I do not ask what the Legislation is to be, but simply whether you are contemplating legislation. This Commission is another State organization, and we believe in co-operation, and we think we should work together, and there should be some recognition of our joint work.

Commissioner Ainsworth.—And of mutual helpfulness.

The Witness: I would say with respect to anything the Commission is doing, or has in its mind to do, we would be glad to give you any information or to give you any help in anything you have in mind to do with legislation. I do not feel free, however, to speak of the status of anything we are doing as a public body.

Q. My question was, whether there was any contemplation of any change — not as to character of change, but merely as to the broad fact that the Commission was contemplating such action as was announced in the public press. A. The Committee has suggested a modification of the charter of the railroad, and possibly that is what you had in mind.

By Commissioner Rounds:

Q. On that line, I notice in your statement you say you wish to state the views of the Joint Conference Committee with regard to further legislation. I should be glad, if you cared to state your views more clearly than you have in your statement, what kind of further legislation you have in your mind there, either in your

own words, or through your counsel. A. I might say this, as indicated in this statement — there is in course of formulation, but without any real determination as to its form or substance, the matter of the amendment of the charter of 1846. I think there would be no objection on the part of the Commission to letting you have, in confidence, a copy of that draft which we have now or any later form.

Q. That was the purpose of my question. A. I would say that I did not know even at this time any one of the Commission who really did anything of that sort.

By Chairman Van Benschoten:

Q. Mr. Hervey, when Mr. Prendergast appeared before us, he stated that he had given to you, when he turned over the various papers to you as chairman of the Joint Committee, a valuation which had been placed upon the Central Railroad franchises in the city, and he thought perhaps we might secure a copy of that from you; and I merely ask that if you have that among your papers, we would be very glad to have a copy of it. A. I will look it up. Mr. Prendergast did turn over a large number of papers, and my recollection is one of them was some appraisal which some representatives of the Bureau of the Board of Estimate and Apportionment made, I think — some two or three of them.

Q. Some engineers? A. Some engineers.

Q. Well, if you do find it, will you let us have a copy of it?

Mr. Ransom: We have not been able to find it. A. I think I can find it for you.

By Commissioner Stoddard:

Q. Just a matter of record, Commissioner. On page 4 of your statement you say that you regard the assumption, page 4, paragraph 2 — “With regard to the assumption made by Commissioner Stoddard, that probably no one would have invested in the Hudson River Railroad in 1846, had not a perpetual right in New York City been given them then” — I desire to call your attention to the fact — where did you get the statement? A. That was an assumption from reading the minutes.

Q. Here are the minutes that you can refer to. A. I would be very glad to do it.

Q. That is true, the testimony of Mr. Prendergast. I made just the opposite statement there.

Mr. Ransom: The reference is to the question at the top of page 146.

Q. Do you regard that as an assumption by me to the effect that you would quote me? A. (Reading record.) I think it shows you had in mind the fact that capital was encouraged.

Q. It shows I had the opposite effect in mind now as to what should be done in 1916. A. You certainly had; you have taken the other position in the latter part of it; you assume it is true that he had a perpetual right under the old right; is it not a temporary right under existing conditions?

Q. I said — assume, as the basis of my question. A. Probably it is true — you give quite a color to that.

Q. But it does not need counsel to answer this.

Mr. Ransom: I was suggesting to leave out those words. A. I want to leave out the words anyhow, and I want to show the reason I put them in here. I would be glad to have my statement corrected.

Q. If you had put it that Commissioner Stoddard, on the assumption that the 1916 arrangement could have been made on some other basis than a perpetual basis, and that people or investors could have been persuaded to invest in the securities of the corporation, that way you would have stated my position possibly with more accuracy. A. Yes.

Q. But this is entirely inaccurate. A. I will just amend my statement by saying on page 4, second paragraph, with regard to any assumption — leaving out “made by Commissioner Stoddard” — and leaving out, “that probably,” “that no one would have invested in the Hudson River Railroad in 1846.” That clears it up, does it not?

Chairman Van Benschoten: Mr. Hervey, I understand you want to catch a train.

Commissioner Todd: May I ask one question, Mr. Chairman?

Chairman Van Benschoten: Yes.

By Commissioner Todd:

Q. Did you ever see the opinion of Charles E. Hughes, that was written at the request of the Corporation Counsel under date of January 27, 1917, dealing with some of these questions affecting the West Side problem? A. I think I did see it, yes.

Q. Did you ever read that opinion? A. My recollection is that I read it at the time; there were two opinions, I think.

Q. I am referring now to the principal opinion which was on the date I have mentioned, January 27, 1917. (Handing opinion to witness.) A. The principal opinion, yes. I think I read this all or in part, at the time it was printed.

(The opinion was marked "Commission's Exhibit No. 28," of this date.)

Q. And did you later on have any expression from the counsel for your Commission, on some of the questions that are dealt with in that opinion of Judge Hughes? A. Did you ever comment on this, Mr. Ransom?

I recollect seeing the opinion at the time, and my recollection is that I did not have any vivid recollection with respect to it.

Q. You have stated here that your Committee has taken the position in reference to these legal questions upon the advice of some counsel; who is the counsel? A. Ex-Judge Ransom, and Mr. Aaron, and I think Mr. Semple. Mr. Semple has had some part in advising us, but for the most part, by former Judge Ransom, and Mr. Aaron.

Commissioner Todd: That is all.

By Commissioner Ainsworth:

Q. Was your attention ever called to the case of the New York Electric Lines Corporation against the city of New York, reported in 235 U. S. Reports, an opinion written by Judge Hughes, reviewing questions similar to this? A. I do not think so. I do not recollect it.

Chairman Van Benschoten: If there are no other questions, we will release Mr. Hervey. I know he has given a great deal of time to it.

The Witness: I am not a good witness to-day, but if you have any use for me later, I will come. I am at a very great disadvantage. I have been up all night.

Chairman Van Benschoten: Take this on the record. We want to express our thanks to Mr. Hervey for coming here. He has come from Albany, where his duties took him at this time, to accommodate the Commission, so that we could have the hearing this afternoon, and we appreciate it very much.

The Witness: I would be very glad, if you have any use for me, to have you call me again.

Chairman Van Benschoten: Thank you, very much. Just one moment; we will proceed with the session of the Committee now, Mr. Marks.

Marcus M. Marks was called as a witness, and having been duly sworn by the Chairman, testified as follows:

The Witness: I do not propose, gentlemen, to read this statement, but simply refer to the heads and leave a copy with each of you, so that at your convenience you may read the arguments.

(Handing copies of statement to the Committee.)

Chairman Van Benschoten: I just simply wanted it understood, President Marks, because the question has arisen before us that we are always glad to take statements or briefs, or anything of that kind, that will furnish us with information, but they do not go on the record as sworn testimony, unless it is sworn testimony, or by way of the reading of the statements. We have the benefit of it and it is used, but we would like to have whatever goes into the record as sworn testimony, brought out before the Commission.

You can file any briefs or statements that are used.

The Witness: I would like to call attention on the record that I wanted to save you as much time as possible, particularly after

the two-hours' sitting, by simply referring to the heads, and speaking very briefly.

Judge Clark: Yes.

The Witness: I have two sub-divisions here: One is the 1916 contract, and the objections that I had to that, and the other is the proposed contract of the Joint Conference Committee, and the short argument in favor of that, as a substitute.

By Judge Clark:

Q. You are President of the Borough of Manhattan, Mr. Marks? A. Yes, sir.

Q. And when did you take office? A. January 1, 1914.

Q. And you were a member of the Committee on Port and Terminal Facilities of the Board of Estimate and Apportionment? A. Yes, sir.

Q. Of which Mr. Prendergast was the chairman? A. Yes, sir.

Q. In connection with your duties on that Committee, you carefully investigated this West Side railroad problem? A. Yes.

Judge Clark: Shall we call these headings through? It will save time.

Chairman Van Benschoten: Proceed in any way it suggests itself.

Q. I understand that you objected to the 1916 plan, so-called, Mr. President? A. Yes, sir.

Q. What led up to your objections, studying the plans as a member of this Committee? A. Studying the plans, and in following the proposed negotiations, the financial negotiations, and, as the matter developed, I became more and more strengthened in my fears, so far as the city's interests were concerned, regarding the proposed contract. At no time did I agree to it, even though I signed the plans which were merely for presentation to the public, for public hearings, and for general discussion, and I have a copy of the statement that I made and handed to the Comptroller at the time, which was made before the report was presented, so that it might be known that I observed my entire

independence. If you desire that, I will give it to you for the record.

Q. I think that is a sufficient statement.

Commissioner Beard: I think that is rather important.

By Commissioner Beard:

Q. It has been stated, Mr. Marks, that you agreed with the tentative proposals, and that you initialed the plans? A. The plans?

Q. Yes; and it has been stated, if I am not mistaken, that your initials there indicated that you approved them. A. Approved the plans?

Q. Approved the plans, as such. A. That is not so.

Q. It is not so? A. It was not, only I told others of the Committee when I raised the question about signing this plan, I said, "Does not that commit us to these plans, with which I am not satisfied," and several said, including the chairman, "We are none of us committed by presenting these plans. They are simply to be made the basis of public hearings and public discussions. We are not committed except to present to the public, and you certainly are not," but I was worried about it, and before we went any further with the report which contained the plans, I made this statement, and put it in writing, and handed it to the chairman: "In view of the magnitude and complexities of the plans and financial calculations involved in this Committee report, which handed in the plans, I sign the same to avoid delay, only as a presentation for general discussion, reserving my later right, as a member of the Board of Estimate, to vote against any part of the plan or contract that fair criticism may reveal as against public interest."

That was my statement, and my position is perfectly clear and independent.

Q. And that was filed as the time you initialed the plans? A. No.; that was delivered by me at that time.

Q. Stated? A. Yes; and I got the answer that they were all in the same position, but I was not satisfied with that, and before the report was printed, I handed this to the Comptroller. He knows about it.

Q. So that when the report was published, it was understood by the other members of the Committee, that your initials meant what you have said? A. The presentation.

By Commissioner Stoddard:

Q. But that fact was never made public? A. Yes, sir, at the hearing, the public hearings.

Q. At that time? A. No; it was among the Committee.

Q. I mean the fact of your handing it to the Comptroller. A. It was brought up at the public hearings.

Q. Was it brought up? A. Oh, yes, three times, at least, I made the public statement, and you will find it on the record. I do not want to inject any detail here, but I could state to you that at the very first meeting, prior to the first meeting of the New York Central representatives, matters took place which forced me to state—that was already in January, long before these plans were signed—that I would not promise to go ahead, and that I would not agree to the proposition.

By Chairman Van Benschoten:

Q. Is there any objection on your part, to stating what those reasons for such actions, were? A. I did not feel that the city's interests were being promulgated.

Q. The general proposition? A. It was not general; it was quite specific, when the thing was changed.

Q. It related to the general subject matter? A. No; it related to the first change that was made, from the tunneling proposition to the cut and cover, which the railroad brought in as a substitute proposition. I was very much disturbed by that substitution of the cut and cover proposition for the tunnel, because I knew it would make a great deal of trouble for Riverside Park, to begin with, and I also knew that we would not get any *quid pro quo* for the change. It meant millions of dollars of saving for the railroad.

Q. That related to the Riverside Park and not to the downtown section? A. No.

By Judge Clark:

Q. Did the other members of the Committee approve of the so-called 1916 plan, did they, Mr. President? A. I heard no dis-

approval. I refused to sign the report. I made a minority report later on.

Q. What were your chief objections to the so-called 1916 plan?

A. I have them noted here, and I only refer to the headings, and you can — provided it is permitted — enter them in the record. “It precluded a proper comprehensive port plan for the Port of New York.” I have the argument here going into the detail of that. “It contemplated an elevated railroad structure south of 60th Street, so located that it would create virtually a monopoly, and unquestioned domination in freight traffic of the New York Central Railroad in Manhattan.”

“3. It provided for alignment and grades of trackage through the Riverside Park Section that would unnecessarily injure that section.

“4. It provided for the creation of an unnecessary and uncovered storage and classification yard on the waterfront of Manhattan.”

Q. Manhattanville? A. Manhattanville, thank you.

“5. It provided for the granting of fees and of perpetual easements that were equivalent to a perpetual franchise, rather than the granting of revocable franchise and terminable leases to the New York Central Railroad Company.

“6. It provided for the permanent closing and discontinuance of public streets without providing substitute means for public convenience.

“7. It contained no direct provision for passenger service.

“8. It provided for a general financial arrangement unfavorable to the City of New York.”

I have gone into that quite at length. “Another objection was the private right of way contemplated south of 30th Street,” this way —

By Judge Clark:

Q. Those were the chief objections that you found? A. I made a statement on that subject which was printed, and of which I have copies for the members of the Committee, if they so desire, here.

Chairman Van Benschoten: Thank you. We should like to have them, Mr. Marks.

Q. You have enlarged on these objections in this typewritten statement you have handed us? A. Somewhat, yes.

Q. And would you like to incorporate the additional statements under those various headings as a part of your sworn testimony here? A. I should like it very much.

Q. Now, you spoke of discussing also the Joint Conference Committee plan. A. Yes.

Q. Which has been referred to by Mr. Hervey here this afternoon? A. Yes; I was one of the three members of the Board of Estimate appointed to confer with two Public Service Commissioners under the act, the Ottinger-Ellenbogen act, and therefore the ideas worked out seemed to me to be much more of a safeguard to the city without any unfairness to the railroad, and for the following reasons: "That the new plan harmonizes with a proper comprehensive Port Plan for the Port of New York."

I want to say, by the way, that we have never had from the Board of Estimate a comprehensive Port Plan for the city of New York, and that was one of my great fears — that we might lay down some blocks which would interfere with some future Port Plan, and it seems to me that, before we build the stairs of the house, we ought to have a plan of the house so as to know the stairs won't be in the way when we decide upon the nature of the house.

This present idea removes the danger of interfering with any possible plan of the future, "It prevents monopoly of trackage and terminal facilities, either in favor of the New York Central Railroad, or of any other railroad."

"3. It makes possible a trackage treatment through the Riverside Park section that would not injure, but on the other hand would improve that section.

"4. It provides for a freight yard with sufficient classification facilities necessary for proper railroad operation to be located under and on the easterly side of the Riverside Drive Viaduct on the property bounded on the east by Broadway, on the south by 129th Street, and Manhattan Street, and extending northerly at

Broadway to about 131st Street, and at 12th Avenue, at about 134th Street, thereby entirely eliminating the railroad yard from the river front, and bringing it much nearer to the shipping center of Harlem.

" 5. It precludes the granting of fees and perpetual easements which would be equivalent to a perpetual franchise, and provides for a rental basis.

" 6. It prevents permanent closing and discontinuance of public streets without providing substitute means for public conveyance.

" 7. It contains a direct provision for passenger service.

" 8. It provides for financial arrangement fair to the city of New York and to the New York Central Railroad Company."

I have under each of these heads, the explanation and the argument to cover the statement.

Q. And would you like also to include them in your sworn statements? A. If you please.

By Commissioner Beard:

Q. Are you acquainted, Mr. Marks, at all, with the history of the so-called Ottinger Bill? A. I have some knowledge of it and I went to Albany with a large party to urge the Governor to sign the bill, after it passed both houses of the Legislature.

Q. May I ask whether you had any connection with the origin of the bill? A. No.

Q. The bill had been introduced before you were acquainted with it? A. Yes, sir; I had no connection with its construction whatever.

Q. You had no connection with its construction? A. I had no connection with its construction.

Q. You merely, after studying the bill, decided to give it your support? A. Yes, sir.

Q. You are aware that Mr. Mitchel attributed it to a motive of sentiment hostile to the City administration? A. I did not see any such motive. I certainly had no such motive.

Q. You held no such motive? A. No, indeed; I saw that there were eight votes there that were practically committed to the contract, and I knew that one more would be enough, perhaps,

put it into effect, and I wanted to prevent that. I thought that bill gave a little more time and put it into safer hands.

Q. You felt that the 1916 plan was so objectionable, that you did not want it to pass? A. That is all; that was my only motive.

Q. And therefore you went up to urge the passage of the bill? A. Yes, sir.

By Judge Clark:

Q. Mr. Marks, as to this statement you have just handed us, the Commission would prefer not to take as part of the sworn record, the arguments which you have added to your heads. You have stated your headings? A. Yes, sir.

Q. If there are any matters to which you wish to call especial attention in your sworn testimony, perhaps it would be well for you to mention them here, otherwise, we will accept the argument here as argument, and I will be very glad to have it, but not as sworn testimony. A. I will have to read them the argument—

Q. We will accept it as argument or brief, and be very glad to have it.

Chairman Van Benschoten.—And, Mr. Marks, of course it is filed as the record of the Commission, but we have to draw a distinction for reasons which may suggest themselves to you as a public official used to hearings, and so forth, that only testimony which is actually brought out before the Commission, is considered sworn testimony. Briefs are being filed, and statements are being filed, which are part of the record, but of course, are classified under such statements.

The Witness.—I think that it would be probably necessary—it would probably answer your purpose just as well that way as if I read it.

Chairman Van Benschoten.—I presume it will.

The Witness.—And I do not want to take up your time unnecessarily, every word in here is something—

By Chairman Van Benschoten:

Q. It will all be filed, and will be part of the records of the Commission, but won't of course, go in as sworn testimony. I

would like to ask, and perhaps some of the other Commission would, what is your idea under a general or comprehensive plan, for the Port of New York, as to the question of a joint operated terminal on the West Side? A. I think the idea has been advanced, that the Jersey roads do not want to come in, a ridiculous argument.

Q. What makes you think so? A. Why, the Jersey roads we want them to come in, and the Port of New York is a port that is growing and has been growing, and the idea that we should close down in any respect, because at this particular moment they may have other ideas, or because they may think that they are going to arrange something in Brooklyn for the Pennsylvania and something in Manhattan for the New York Central, to balance each other that way—because of their own internal arrangements, that is no reason why we should not protect the Port of New York for the future.

Q. And is it your idea that such a plan should be adopted regarding the New York Central alone, which will take care of the situation, but which will leave the door wide open, without any interference at all; for future increase, or, as to take care of the Jersey roads, if they desire ultimately to come in; is it your idea that efforts should be made at this time to secure all of the roads to come in now? A. Well, I think the United States government is probably going to do something in the way of port development. It seems to me that they are taking charge of railroads, and will take charge of some plans also which could not have been carried out by us in ordinary times. We are now in a time of panic and stress which will, it seems to me, help to work out the port problem, and the government will not consider just one railroad, but all the railroads.

Q. Do you believe it to be, from your study of this subject, a matter of a feasible and practical proposition, for the New Jersey roads to bring their freight over in cars, and run it on an elevated terminal in Manhattan? A. I do believe that a union freight terminal can be constructed, and will be constructed.

Q. Now, when you say a union freight terminal— A. I do not mean a classification yard.

Q. Do you mean an elevated or subway? A. Well, in parts of the town it may be subway, or in other parts it may be elevated.

Q. When you say, parts — A. Downtown, for example, the subway proposition is much more complicated —

Q. Below 60th street? A. On account of the nature of the land the low tidewater mark; whereas, up where the ground is higher, why, they can tunnel better. It is hard to tunnel down below where the tunnel may take you under the water level.

Q. Continuing below 72nd street, it would not be possible, would it, to have elevated part of the way and subway the rest of the way? A. I think even there it might be possible, yes, sir.

Q. Where would you make the division? A. Our plan was to run 12th avenue, for instance, right across, and have a viaduct over, and to run the road, to have it sunk, uptown, sink it down.

Q. When you say uptown — A. 59th street was the line that we had in view, more than 72nd street.

Q. And have it sunk below 59th street? A. Yes, run up there.

Q. How far? A. Downtown.

Q. How far above 59th street? A. The idea was to get into tunnel. I do not know the exact street, where we would enter the tunnel.

Q. But uptown and downtown is a little bit indefinite for us; what is your idea, as near as you have thought it out, as to the general construction, subway, elevated or sunk, from Spuyten Duyvil down to Canal street? A. My idea would be tunnel altogether.

Q. Altogether? A. Altogether, if it could be practically worked out, because I do believe that the people need all the space and all the air and the freight can stand the subway much better than human beings. We are doing the most remarkable thing now in running our human beings in subways, and running our freight up in the fresh air.

By Commissioner Stoddard:

Q. You have not got it up there yet. A. We have got it in some streets of the city, Twelfth avenue.

By Chairman Van Benschoten:

Q. Objection has been made that it is much easier for individuals to go down and up stairs instead of freight. A. I think we can conquer that with our elevators, I believe.

Q. Do you believe it is a practical proposition to have subway below 59th street? A. Practical proposition?

Q. Yes. A. Well, now, some engineers believe it is, quite a number of engineers think it is quite practicable. Others feel that it will be more expensive. It is practicable, if you do not consider expense, but some fear it would be expensive, that is a

Q. Of course, when we say practicable in a business way, that would probably include the item of expense. A. Yes.

Q. You felt that the proposals of the Joint Committee, and their tentative proposals as to rebate, were all right? A. I accept that suggestion as a compromise.

Q. A compromise? A. Yes, with the idea that it would be too expensive, and that the moneys would not be forthcoming to reach the ideal, which would be to keep the freight underground.

By Commissioner Stoddard:

Q. Have you changed your mind as to financial possibilities of it since that time? A. No.

Q. You think now — A. I think the evidences now are such that we will not be able to get the ideal, just as we did —

Q. In other words — A. You will have to take the elevated and have the elevated below to 59th street.

By Chairman Van Benschoten:

Q. Would you briefly give us your idea on this proposition that the 1916 plan gave the New York Central a virtual monopoly. A. Well, I will give you that in the shortest terms by reading that part of my statement, No. 2. (Reading): "The trackage alignment proposed was such as not only to leave insufficient space between it and the water front for terminal facilities by other and competing railroads, but also between 38th and 42nd Streets, the space was so narrow as to preclude even the construction of the proposed six-track municipal or union freight railroad along the marginal way for the use of the Jersey or other competing railroads."

Q. In other words, do I understand the six tracks could not have been put in the marginal railway? A. Not at that point.

Q. Between 38th street and 42d street? A. That is explained further on. "On the 1916 plans and profiles two of these future tracks were indicated by dotted lines which served to show where the complete system was to be constructed. About six weeks after the publication of these plans and profiles, the Sinking Fund Commission at a meeting which attracted very little attention, voted to recede the bulkhead line 100 feet to the east between 38th and 42d Street. As a result, the marginal way in this section was narrowed from a width of 150 feet to a width of 50 feet. Inasmuch as under the 1916 proposed agreement, it was contemplated that the New York Central be allowed to have the two westerly tracks of its elevated structure occupy a width of 22 feet over the marginal way, there would remain only 28 feet for the much discussed six track future municipal or union railroad."

Q. May I interrupt you a moment, because that is a matter I want to get fixed as a matter of record. A. Yes.

Q. The Commission then understands on the marginal right of way, from 59th street down, there is that section between 38th street and 42d street, where no more than four tracks or five tracks could be placed? A. No more than two.

Q. No more than two tracks? A. No more than two, and that is if this recission of the marginal way, that is, if this recission is considered as a binding fact, we were told afterwards that if that agreement went through, that that action of the sinking fund would be vitiated. Then I asked if that action was going to be vitiated by the agreement, what was the use of taking that action while we were trying to make the agreement.

Q. In view of your familiarity with the city affairs, do you believe it would be possible to have a plan worked out where there could be at least six tracks from 59th street down to Canal street, on the marginal way? A. Why, yes.

Q. It is only a matter of having this recission properly taken care of? Yes, sir, that is to be rescinded. I asked to have it rescinded, but it was declined. The purpose of this was stated, that we wanted long piers, and the explanation that it would be

broken if this contract went through, I could not quite understand because, as I said before,— what was the purpose of doing it, if it would be broken?

Q. Pardon me now, if you will proceed. A. Then I say further, “It is, of course, obvious, that in this width of 28 feet it would have been a physical impossibility to construct the contemplated six-track system. When this matter was called to the attention of those advocating the adoption of the 1916 proposal, it was asserted by them that the adoption of the proposed 1916 plan would vitiate the action of the Sinking Fund Commission. If this were so, it is hard to understand why this action was taken during the process of making the agreement.

“If the 1916 proposed agreement had been adopted, there would have been, however, a more important hindrance to the construction of this future municipal or union railroad along the marginal way, for just south of 39th Street the Railroad Company owns in fee a parcel of land which crosses the marginal way, and also owns in fee three parcels of land within the existing so-called 30th Street Yard. It is almost a certainty that through any one of these parcels it would be impossible to construct even two of the tracks of this future six-track municipal or union railroad system, for if it were attempted to condemn for the future marginal system a right of way across these parcels, the New York Central might successfully contend that land once devoted to railroad purposes could not hereafter be condemned for use by another railroad system.

“North of 59th Street there was not even a pretense that the proposed 1916 agreement would permit railroad competition.”

Q. There was not any provision in the 1916 agreement, by which the New York Central would permit these parcels, which they own, to be condemned for this purpose? A. No; and when I called attention to that, it was stated that it was intended to make an agreement to that effect, but it never was done, and we had no record in the plan or report of any such proposition.

Q. You felt that there was a practical opportunity of improving the arrangement which was made as to Riverside park? A. Yes, indeed.

Q. Without an impracticable expense? A. Yes, sir; by leaving the line just where it was and sinking it, covering it.

Q. Well, now, I think I asked Mr. Place about the sinking of it, and he stated that the engineers say that getting it below high water there is a very serious matter. A. Yes, we would have to sink it as far as that; of course, if you sink it into tunnel altogether, you get below water, and when you do not sink it below the level, just sink it at a reasonable distance, and it is covered over.

Q. Well, how far — do you happen to know how far it would have to be sunk to be depressed? A. Our plans — I think one is about six feet. Mr Levy is the engineer; he made this six feet.

Mr. Levy.— Which plans?

The Witness.—Seventy-second street, north.

Mr. Levy.— The plans we submitted, or the Public Service Commission?

The Witness.— The ones you submitted.

Mr. Levy. — They varied in depth sometimes that way completely — 10 or 12 feet below.

The Witness.— They did not strike below water.

Mr. Levy.— They did.

The Witness.— The ones of the Public Service Commission did not.

Mr. Levy.— I do not believe they have adopted any definite plans yet, but their plans had proposed certain sinking of the tracks.

The Witness.— Six or eight feet.

Mr. Levy.— To about plus three, that is about three feet above the water.

The Witness.— How much lower than the present track?

Mr. Levy.— Oh, about five feet approximately.

The Witness. — Well, that is what I thought; something like that.

Mr. Levy.— The Public Service Commission engineer could give information on that.

The Witness.— Between three and six feet lower.

By Chairman Van Benschoten:

Q. I understood Mr. Place to say the present track was about five feet above high water? A. Yes. I am advised there is a subway at South Ferry which seemed to be practical; it is considerably under water level, the present subway; they are running to South Ferry — that is far under the water level.

Q. With that depression in the tracks, what was your plan as to the cover? A. The extension of the park.

Q. In a natural line? A. Its natural sloping lines.

Q. That would permit of a natural sloping line? A. Yes.

Q. And you know tracks were to be there? A. Six tracks.

Q. Six tracks? A. Yes, sir.

Q. So that what is needed is a depression of from three to six feet, to permit the natural lines of the park; I am inquiring — it is just information that I am seeking. A. Just wait. The purpose primarily was not to preserve the natural lines of the park. The prime purpose was to get this work done without breaking into Riverside park, for a number of years; no one knows how many years — and if we could simply leave the tracks where they are and depress them, how many feet the engineer must decide — it depends how much money you have, but the number of feet that can be depressed with very little expense, would be, as they say, between three and five feet.

Q. Was not there additional trackage that was to be had there? A. Yes.

Q. Where was that to be added? A. On the west.

Q. So that the present easterly right-of-way of the Central was to remain the same? A. That is my understanding.

Q. With regard to Manhattanville yard — A. I have not an objection to that in the old idea — leaving that an uncovered yard.

Q. Have you given any extended investigation into the question as to whether the unoccupied space, and perhaps some additional space, between Broadway and Riverside drive, could be used for the yard? A. I think that is mentioned in my statement here, “Beyond the basic objection to a storage and classification yard on Manhattan Island was the further objection that the proposed

yard would have been so located as to unnecessarily dominate the waterfront, and also to be an eye sore and a property depreciating factor in a residential community of the highest character.

“It is known that until very recently the New York Central's program, recommended by its own engineers, was to construct this classification and storage yard at some point up the Hudson river, possibly at Harmon-on-the-Hudson. Reasons justifying the railroad operating engineers to recommend such a location of a storage and classification yard should still be followed from a railroad operation point of view. From the point of view of the City of New York, it would be utterly indefensible to permit an unnecessary classification of cars on Manhattan Island, and above all to permit the storage of dead freight. No freight, except mobile freight, should be allowed on this densely populated island. In short, the size, the character and location of the proposed Manhattanville yard were objectionable, and even if necessity had justified its location on the waterfront, the plans should have provided that it be roofed and parked over in order that it might be less of an eye-sore.”

Q. Do you understand that the railroad wanted sufficient space to bring in dead freight? A. Well, the size that they desired, the space that it desired, left that implication, although they made the statement that they only wanted it for local use. I do not want to impugn any of their statements, because I know they mean to say what is right.

Q. I was wondering whether the railroads were insisting upon a classification yard at Manhattanville? A. No; but there was a tremendous space there, which was to be devoted to the purposes of the railroad.

Q. But there is a great deal of freight brought there, an enormous amount of freight brought there, is there not, for immediate consumption, foodstuffs? A. Yes; but it can be moving a good deal of the time. We figured out that the proposed plan of the Manhattanville yard, which you will find in the Public Service Commission report will, in the view of engineers of experience, furnish amply facility, and also bring the yard near to the people who require its service in Harlem, instead of being away off to the river.

Q. Do you believe that after your examination of the suggestion of the Joint Committee on the Manhattanville yard, that that was a reasonably good plan to propose? A. Well, I am not an expert, but the evidence tended that way, that that would answer all the purposes of the locality.

Q. Well, that was in keeping with the reports which you knew engineers had given, or some engineers had given? A. Yes, indeed, quite a number of them. They were studied in the office of the president of the Borough of Manhattan, by engineers and draftsmen, and experts. Of course, our idea is to give full facilities to the railroad. We understand how important a railroad is to the city. We also understand that the city is of importance to the railroad. We are trying to make it a fair deal.

By Commissioner Stoddard:

Q. Of importance to the people too. A. And to the people by the city I mean the people, of course.

By Chairman Van Benschoten:

Q. Have any of the other Commissioners any questions? I am looking over this statement hurriedly here.

By Commissioner Ainsworth:

Q. Are you familiar with the question that the Central railroad between 38th and 42d streets, owns some strips of land which extend to the marginal way? A. That is not from 38th street to 42d street; that is 30th and 39th streets.

Q. I have been informed that the Central railroad agreed that that should be opened and filed a plan providing for its being opened, that they would construct tracks across it, for any other use that might be contemplated. A. There is no such record. In the proposed agreement of 1916, there is no such stipulation.

Q. But, were there plans filed by the railroad company? A. There were dotted lines given, but no indication to cross.

Q. Where do they cross? A. They indicated where that might cross.

Q. And they prepared the plans? A. They proposed them, but there was no stipulation to carry them out.

Q. So far, has the railroad company expressed anything? A. Where there are any dotted lines on the city's plan. Yes, they were on the city's plan; I am just told that.

Q. Not on the railroad's? A. Yes.

Q. Are you quite sure of that? A. No, I am not sure of that; Mr. Adams, the secretary —

Mr. Adams.— I am sure they were on the city's plans.

Q. Are you sure they are not on the railroad's?

Mr. Adams.— I think they were.

Q. But so far as the railroad expressed anything by plans or in writing, any opinion upon that subject, they did indicate a willingness that their private right-of-way might be crossed by these tracks? A. Yes, but I do not see what service that would be, unless it were stipulated in the agreement.

Q. I was wondering whether it was a failure to negotiate? A. There was nothing in the agreement which gave us the right to do what these dotted lines —

Q. Did you ever call to the railroad company's attention, the fact that they indicated by dotted lines, a public railroad across lands that they had not provided in the agreement should be permitted? A. Yes; and it was stated that later on such an agreement had been contemplated.

Q. By whom? A. It was contemplated between the railroad and the city, that later on such an agreement would be made. It had not been mentioned, however, at the time.

By Commissioner Beard:

Q. May I ask, Mr. Marks, what your opinion was with regard to the franchise; did you regard the new rights given to the railroad company as, in effect, franchise rights, and an enlargement of the franchise, a new franchise? A. Undoubtedly it would have secured for the railroad, beyond peradventure, the permanent right. Here is one case where the title was cleared for \$500,000, for a sum of \$500,000 title was cleared for the whole Riverside park area there, on properties which were worth many millions. The railroad, in this agreement, offered half a million dollars in

order to have those titles completely cleared for the railroads in the city, and that is one thing that the Real Estate Board clearly omitted in its report on the real estate values. They omitted that, and they omitted it avowedly, without going into any investigation of it, simply saying, "We will not bring in a report on the \$500,000, which the railroad offers."

Q. Have you elaborated on that?

Chairman Van Benschoten.— Yes; bottom of page 8.

Q. Was it your view, Mr. Marks, that no additional franchise rights, for example, to lay new tracks above 72nd street, or 59th street, should be granted in perpetuity. A. Yes, sir, I am absolutely opposed to any grants to a railroad, in perpetuity.

Q. Any enlargement of the rights? A. Whatever the railroad has, I am strongly in favor of allowing the railroad to retain, unless we can take it by due process of law, and to give compensation; but whatever they have not in the way of permanent franchises, I think the day has passed for that.

By Chairman Van Benschoten:

Q. Do you draw any distinction between an instance like subway ways, where they are all within the city of New York, and a new proposition being taken up, and a situation such as we have here, where it is a terminal of a trunk railroad, which has 12,000 miles of track? A. I appreciate the great difference between a terminal railroad running through the whole county, and an inter-city railroad. I appreciate that, but even so, there is a limitation to the rights of the railroad coming into the city. After it reaches the city, it becomes under our regulations.

Q. But might it be there would be different rules or different applications of rules in the case of a terminal of a trunk line such as that, and as compared with the rules of the application to a subway wholly within the city, and which case is a new proposition entirely? A. I think there should be a very fair and reasonable consideration of all of those conditions.

By Commissioner Ainsworth:

Q. Well, what would be the objection to the granting to the railroad company in this particular case, of increased facilities coupled

with the provision that they should always be subjected to the joint user by any other road that might seek to enter the city, or that they might be subject to joint user, should the city attempt the construction of a terminal; does not that safeguard the question as against that objection? A. Not unless you stipulate the terms upon which it could be made the subject of general user.

Q. You would not want to stipulate? A. It is very easy for anybody to stipulate to wear my coat, if they agree as to the price it is going to cost to get that coat for a day or two.

Q. Would you be willing to leave that to the courts? A. It is a pretty poor proposition which invites litigation.

Q. It is about the safest resort we have got, is it not? A. Well, but no man likes to make a bargain, leaving the payment considerations to the courts in advance. He tries to arrange that all together without the courts.

Q. I presume that is the idea the railroad has. A. And so has the city.

Q. Is it not a fair proposition, while you are guarding the city's interests against an indefinite and uncertain possibility, to leave the measure of that compensation to the courts? A. I do not believe in leaving anything to the courts that we can settle right now.

Q. That is the Kaiser's theory. A. I do not think it is the Kaiser's idea. It is the idea of every business man who makes a bargain, that he makes the bargain now, as far as he is able to agree upon fair terms. Whatever he cannot agree upon now, it is time enough to leave that to the future courts to decide. I do not need to give you a permanent right, if I can arrange with you on the basis of twenty-five years with renewals.

By Commissioner Ainsworth:

Q. I am not speaking about exclusive permanent rights, but I am making the suggestion as to how you view the provision that necessary facilities for the service of the people of New York, and necessary facilities for the terminal of a great trans-continental railroad, might be granted possibly with a provision that they should subsequently be open to the joint use by any other railroad, or by a municipal railroad, if desired, upon terms equitable, to be

determined by a court of justice — can you see any objection to that? A. Well,—

Q. Bearing in mind — A. The basis of it is reasonable, leaving it to be determined by a court. I say I am quite willing to leave the future courts to determine the values, that we cannot determine now; if we can determine now —

Q. We cannot determine them now in the absence of nobody wanting to use that. A. This proposed agreement that is offered by the Joint Conference Committee, leaves the future to determine the values over twenty-five years.

Q. That is to the city.

By Chairman Van Benschoten:

Q. But suppose the Jersey roads want to come in, just what compensation — if they want to come in at a later date, it is impossible to take up that question now. A. Well, of course it is a very broad and involved question, you have to leave the doors open in some places. I agree with you the door must be left open in some places, but our idea is to settle as much as we can fairly to both sides.

By Commissioner Ainsworth:

Q. I think so; but I am now speaking personally for myself — A. Yes.

Q. It is repugnant to me to hesitate to leave a possible future measure of damages, which at present it is utterly unable to measure, to a court of justice. A. Well, I will agree with you heartily, that whatever you and I, in making a bargain, cannot agree upon, we should be willing to leave to arbitration, to a court of competent jurisdiction, and there is arbitration provided in the joint report.

By Commissioner Beard:

Q. But that does not modify your earlier view, does it? A. Not a bit.

Q. As to the perpetual franchise? A. No perpetual franchise under any terms.

By Commissioner Ainsworth:

Q. State the objection of it, in view of my suggestion, of a requirement that the permanent franchise shall always be subject to a competing road's use, upon the payment of just compensation to those who construct it. A. Well, there are some things that turn up, as you probably know, which throw a rock into the wheels — the absence of a third arbitrator, or the lack of agreement.

Q. I am not speaking about arbitration; I am speaking about submission to a court of justice. A. Even as to the courts looking years and years ahead, we do not know how the character of the courts change either. You would have to go to the Court of Appeals of the United States, as the last resort; is that your idea?

Q. That is open to every litigation that involves a constitutional question, I suppose? A. Excuse me if I see what this says — “Why should the City of New York prefer that the railroad company should have fees and easements that they ask, rather than terminal leases and franchises” (reading pamphlet). Is that one of your ideas?

Q. No; I hear so often, Mr. Commissioner, the statement that I objected to a perpetual franchise. Now, a perpetual franchise that has hedged about it the safeguard that it may always be used to break up a monopoly, I confess I cannot see any valid objection to it. A. Well, I can see that you make it as agreeable as possible under the circumstances, by putting all those conditions in. I can see how you take away the terrors of a perpetual franchise when you really make it a terminable franchise, at any moment, for the private use of any railroad.

Q. Now I would not think of making it terminable. I am speaking for myself. Here is a railroad with 12,000 miles of road, that the city of New York could not live forty-eight hours without its use; you would have chaos and confusion without it. Now, if they have got to have added facilities properly to perform their corporate functions, I think you will concede that they must have — A. Oh, yes,

Q. — if that be true, and you couple with the gift that you give them the provision that it may always be regulated and restrained, so as to prohibit a monopoly in its use, where does the terror

remain on a perpetual franchise? A. Well, you hedge it about very well by the conditions which you are now stating. At the same time, even with all that, which is very attractive, theoretically, practically it seems to me that each generation ought to take care of it. If we do not need the railroad, the railroad does not need us. It is reciprocal, and I have no fear that any harm will ever come to any railroad through a short-term arrangement, because the city needs the railroad and the railroad needs the city, and they are bound to get together at all times. It is unthinkable that the railroad should not serve the city or the city should not use the railroad.

Q. It is to my mind exactly — it is unthinkable. A. Therefore, what is the use of tying up over a problem.

Q. Is not that just as broad as it is long; it is unthinkable, why require it. It is unthinkable why not require it? But, it seems to me, if you leave it to the courts, you are leaving the door open to protect you. A. I have a great dread of the time called, "Forever." I do not know what will happen within a few years.

Q. I look forward to the future with a good deal of apprehension, concerning the life I have led. A. A thousand years is a long time, and even that is not forever, I would rather have something more definite.

By Chairman Van Benschoten:

Q. Is it your opinion, President Marks, that any terminal road that is down there should be along the marginal way, all the way? A. I do feel so, yes, sir, strongly.

Q. You believe that the provision of the 1916 plan, for a private right of way, below 30th street, was a mistake? A. I think that is bad for the city. It gives the railroad an awful grip, having that right there, on its own territory, and, as I have said, it gives the nature at least, of a monopoly, which even those who want permanent franchises, do not approve of.

Q. Are there any other matters which you desire to bring up? A. Ask me anything, all right.

By Commissioner Stoddard:

Q. In view of your dread of "forever," do you think litigation is the way to solve this problem? A. I don't like litigation very

much, and as a business man of twenty-five years' experience, I never sued anybody and I never was sued. I kept out of the courts. I would rather sacrifice even part of what I consider right, rather than go into courts. That is my personal feeling, and I do not think litigation is necessary in most cases, if the people get together with open minds, but there ought to be open minds on both sides.

Q. Well, is there any way in your judgment, individually, to have open minds on this subject? A. I do think so, yes, sir.

Q. You are not hopeless of that yet? A. I am not hopeless at all. I believe the officers of the New York Central are fair men, and if they were approached in the proper spirit and under the proper conditions, without the gallery, and without politics, that we could work out an agreement. I believe it could be done, and I believe it will be done. I do not believe that it will come to a long litigation. I think it is such a loss to both sides, that we will get away from it. I am sincerely hopeful of that, at all events.

By Commissioner Miller:

Q. President Marks, you have just stated that you objected to a perpetual franchise for a certain road. A. Yes, sir.

Q. Would you carry out that objection to a terminal road that is used in common by say ten roads? A. I don't see any point in a perpetual franchise for any roads, even of the present roads. Then there might be roads in the future that are needed for this city, and the doors ought to remain open for them, on the same basis.

Q. I am assuming such a terminal road would give accommodations to whatever roads came along; assuming that the city, for instance, were to build a road say from 30th street down, with room for all roads. A. Even then, I would be opposed to it, because I think the day will come—perhaps not very far off either, when the city will find it to its advantage in connection with the country, to control the railroads, as they are doing now, under duress and under strain. They may feel they are wise to continue to do so in normal times, and with such perpetual franchises blocking us, we would be at the mercy of railroads, it seems to me.

Q. You object then to giving such a union terminal, a perpetual franchise? A. Absolutely, because the union of to-day won't be the union in twenty-five or more years. I spoke here before of something that I did not make, perhaps, very clear. That was, that in January, 1916, when I first took issue with my friends on the Port and Terminal Committee—and I may say that I have never been a fighter, but always a conciliator, and arbitrator—I became a fighter from that time on—and that meeting when the plan was changed from tunnel to cut and cover, it was so objectionable to me, that I asked the railroad how much they would save by this plan, by changing the plan, we went in with a tunnel plan to them, and within five minutes it was changed to cut and cover.

By Chairman Van Benschoten:

Q. This was Riverside park? A. Yes, sir; and I said "How much is the difference in cost between this cut and cover and the tunnel along there to the railroad," and after several inquiries, the figure came out at five million dollars. I said, "While we are changing this five million dollars in this one session, is not the city going to get any *quid pro quo*" and the members of the Port and Terminal Committee said "It is not necessary; we are satisfied," and I said "I am not." That was January, 1916. You ask me if I am satisfied with this plan, and I say I am not. When you make a change like this that is going to save the railroad five million dollars, and the city gets no *quid pro quo* in the change here, I am not accustomed to that style of business, and I will not go ahead with the business in harmony with the others.

Q. That was after this memorandum of agreement— A. No, that was before that. That is what led up to that memorandum.

By Commissioner Miller:

Q. Your theory was then, that if the railroad saved money, the city ought to have compensation. A. The city ought to have some compensation.

Q. Whatever the railroad saved, would be reflected in the rates? A. By supposing that they were putting the citizens to a

tremendous amount of discomfort there, by taking the Park away from them for a number of years, at least.

By Commissioner Stoddard:

Q. You have stated here to-day whatever the courts ultimately confirmed as their rights on the West Side, you would freely grant them and give them that? A. Surely.

Q. Assume for the purpose of this question — see if we can get some light here — assume that the courts should confirm their rights to the trackage they now have on the West Side, how would you then deal with the question of their facilities and the operation along the lines Mr. Ainsworth suggested, for instance, of three or four additional tracks,— whatever the number may be; how would you deal with that situation? A. I think that situation would come up as a matter of negotiation, as soon as the Public Service Commission or the city—I believe the Public Service Commission now has the power—would ask the railroad to put these tracks, either under or over ground, instead of on the surface, down Twelfth avenue, and change its motive power from steam to electricity.

Q. I mean as to franchises. A. Then that would come up.

Q. What they have now, they would go on in perpetuity? A. No; only 400 years, I believe.

Q. Well, we will say 400 years; they would go on for 400 years with what they have now? A. I do not think they would. I think when the city gave the order for steam being eliminated, and surface operation being ended, that we could come together for an agreement just the same as if it were forced.

Q. You mean they could be persuaded to give up what they have in perpetuity, in order to take the — A. Increased facilities?

Q. Increased facilities, and the overhead or elevated, or subway, whichever it might be? A. It seems to me the railroad would be reasonable, if the matter were brought to an issue.

Q. You think the railroad then would give up its present practical exclusive right to enter the city of New York on the west side, should it be confirmed by the courts, and it would also agree to the joint use of its tracks, in exchange for the privilege of

operating on an elevated structure? A. Well, I think some of things could be forced, if not freely granted. The Inter-Commerce Commission might have some power there also.

Q. Yes; but I am just trying to find out how it can be done that is all; I want to get your idea. A. If there is any idea presenting a difficult proposition to the railroad, having its right established?

Q. It is difficult for everyone to deal with it, and I want to get some light as to how it could be dealt with, assuming that it is to be dealt with from that point of view. A. If the permanent right can be established, and we can have room left over for roads alongside, and to cross over and under, we, perhaps, can work out even with that right, and no individual will stand on individual rights at the expense of the city, or other railroad in the long run; their interests are pooled.

Q. May be any railroad would. A. Their interests are practically identical; I say their fraternity is pretty well established.

Q. Among the railroads? A. Yes, if one is injured the other will be injured. They will realize as they go along there is a great interest, and that is the service to the public.

Q. That is the hope of the future? A. And this war — will be one of the blessings of this evil war, to bring this forward.

Chairman Van Benschoten.— It looks that way.

Q. The point made by those who advocate the 1916 plan is that something was fixed, whether we agree with that or not, that was the basis. A. It is not fixed yet.

Q. I realize that, but I want to say — A. If it is fixed.

Q. If it is fixed, they assumed that being fixed there, we would not go on with these other matters, because the railroad had something there which we could not get rid of, we had to recognize its existence there, and therefore we went on and gave other facilities of the same type, and in the same manner. A. I understand the principle.

Q. What I want to get at is, a different principle — a principle to apply to the different facilities; that is my point. A. I understand what you mean.

Q. And I want to get your suggestion as to how you would apply those principles there; in other words, you would not give anything — A. It is what you call a hypothetical question.

Q. It is a solution of the problem. A. If the railroad rights are established in the way they indicate they would desire to have them established, then, what are we going to do about it, that is practically your question.

Q. What are we going to do in the way of arranging a comprehensive and adequate terminal system on the west side? A. I will admit that is our problem.

Q. So that the city of New York shall control in the name of the people, and for the public interested, how are you going to do it? A. If you have an answer to that problem, you have the answer to the port terminal problem of New York.

Q. I want to know if you have any thought that that will be helpful? A. I do not think we will get as far as that. I think we can get together. You are contemplating litigation?

Q. No. A. To establish this right?

Q. No, I am not contemplating litigation. A. I do not concede it until it is established.

Q. I am not either. A. So we have to get together, and that would be the end of the whole thing.

Q. I am not conceding anything. A. No. I think the first thing we ought to have in the city of New York is a Commission on Port and Terminal Development, consisting of business men, and engineers and lawyers, to study —

Q. And lawyers? A. Yes; to study the Port of New York in all its future, men who have both imagination and ability, and practical experience, and seeing that this is the very thing that you are looking towards, the big Port of New York development, and let the New York Central be a proper part of it, and perhaps the larger part of it, as it should be.

Q. That is right. A. But not to do anything in the way of the future.

Q. That is right. A. By any hasty agreement.

Chairman Van Benschoten.—Are there any further questions Mr. President, we want to thank you for coming here and giving us the benefit of your experience and study in these matters.

We will now adjourn until to-morrow afternoon at 2 o'clock p. m., when the Mayor and Commissioner of Docks Smith will appear as witnesses.

(Whereupon, at 5:10 o'clock p. m. the hearing was adjourned to to-morrow, Friday, December 28, 1917, at 2 o'clock p. m.)

COMMISSION ON WEST SIDE IMPROVEMENT

LIBRARY, CHAMBER OF COMMERCE,

December 28, 1917, 2 p. m.

The chairman called the Commission to order at 2 p. m.

PRESENT:

Chairman Van Benschoten; Commissioners Beard, Miller, Stoddard, Todd, Ainsworth and Rounds; Judge Clark and Secretary Niles.

Chairman Van Benschoten: The Commission will now please come to order.

Mr. Mayor, if you will raise your hand and be sworn, we will begin.

John Purroy Mitchel was called as a witness, and having been duly sworn, testified as follows:

By Judge Clark:

Q. Mr. Mayor, we have had testimony from Comptroller Prendergast, Mr. Place and others, who have given us the history of the dealings with this west side problem to a considerable extent and therefore I do not want to ask you to go into detail of that kind, except so far as you care to.

Your familiarity with this problem began, and your particular study began while you were president of the Board of Aldermen

A. Yes. I think it began with the introduction by me of a resolution in the Board of Estimate and Apportionment which was not adopted.

Q. That was about 1909? A. No; that must have been 1910 or 1911. I think it was in 1910. The records of the Board would disclose that accurately. My memory does not serve me. It was a resolution offered to terminate forcibly, if necessary, the surface operation on what is known as Death avenue.

At the time I introduced that resolution I had not an appreciation of the commercial necessities which would have been interfered with by the introduction. However, it was not adopted, on the opinion of the Corporation Counsel that it could not be adopted and enforced.

Q. And you were afterwards chairman of the Committee on Port and Terminals? A. Yes, sir; during the Gaynor administration.

Q. That began when? A. January 1st, 1910, to December 31st, 1913. I left the Board in May — end of May or early in June, 1913.

Q. What steps did your committee take? That was the first committee of the Board of Estimate and Apportionment to deal with this problem. A. That committee — I must rely entirely upon recollection, which is subject to correction by the record; I have not prepared for this hearing, not knowing what you wanted to ask me. My recollection is that my first contact with the matter was in recording our opposition to the bill introduced by Mayor Gaynor's administration. It subsequently became chapter 777 of the Laws of 1911; and in advocating in place of that bill a measure giving the city some leverage through some compulsive power upon the railroad, the Legislature enacted chapter 777 and rejected that which we had recommended. We thereupon began a series of conferences with the railroad, looking to the discharge of the duty laid upon us by chapter 777 of the Laws of 1911, namely, looking to an agreement or settlement between the city and the railroad company.

Q. Do you recall whether this Committee on Port Terminals, of which you were chairman, was appointed before the enactment of that law? A. Yes.

Q. Did you take any steps before that? A. Only the introduction of the resolution to which I have referred, as far as I remember.

Q. Under the Act of 1911 there was a plan presented and considered? A. Yes. It was evolved — I think we had at least two years of negotiations, because it was introduced in the summer of 1913, and it was under consideration by the Board of Estimate and public hearings were held upon it. It was unsatisfactory in many ways, as evidenced by the public opinion which expressed itself; and was referred back to the Committee on Port and Terminals for further consideration. It was the best settlement that could be obtained from the railroad at that time. When I say "could be obtained," I mean to which the assent of the railroad company at that time could be procured. You will appreciate what was the situation in which the city and the railroad, if anything was to be accomplished under that bill, had to come to terms.

Q. That was the plan of 1913? A. That was the plan of 1913.

Q. And that, as I understand it from the testimony here, nothing further was done in the actual presentation of the plan under the plan of 1916? A. Nothing except laborious conferences.

Q. But no actual plan was presented until that time? A. That is my recollection.

Q. Now, Mr. Mayor, of course many suggestions are coming to the Commission, and many of them that were considered by you during the progress of these negotiations and the development of these plans. It would be helpful to us if you would tell us something of the views you entertained back in 1911 when you began to study this problem and the developments during the course of which you have changed your attitude, we understand in some particulars. Can you tell us something as to the developments and your change of attitude at any time? A. Yes. I do not think you will find my attitude changed in any respect. In 1911, or rather for a long period of years before that, the matter had been considered in practically but one relation, and that was the safety of life and person on the streets of the city along the surface of which the railroad operated. It was with that consideration in view, and that alone, that my resolution of 1910 or 1911 was introduced. The Legislature, in chapter 7

of the Laws of 1911, took that into consideration, and it was the first time, as far as I know, it considered the broader aspect of the matter, namely, the commercial necessities of the port. And from that time on the negotiators had to consider not only the protection of life upon the street by the elimination of grade operations, but the more complex questions of adequacy of terminals, extension of the facilities in trackage along the entire West Side, the crossing of the Ship canal, and the tunneling at various points.

Q. Do you remember who prepared the Law of 1911? A. I have no absolute knowledge. My recollection is it was prepared by John Dewitt Warner, retained as special counsel of Dock Commissioner Mr. Calvin Tompkins. The bill was supported by Mayor Gaynor in the Legislature.

Q. You are familiar with the decision in 202 New York, the City of New York against the New York Central? A. Is that the case in which the franchise was held to be irrevocable?

Q. Yes. A. I am not familiar with the decision, but I know of it. It is very long and rather a complex decision.

Q. That was prior to this Act of 1911? A. Yes, I believe it was.

Q. At that time had you in mind, in 1911, when the plan of 1913 was presented, had you in mind a joint terminal of any kind? If so, what did you do in that connection? A. There were several plans evolved. My recollection is at fault as to how many were presented. That Committee's engineers presented to us a plan for what is known as unit joint-terminals, not for a single terminal, but joint terminals of all the roads, but for a series of unit terminals along the West Side to which the cars were to be brought on floats, landed on floatbridges, and taken to the east side of West street by overhead structures at the terminals or warehouses. The general scheme of that being that either single railroads would maintain such terminals, or groups of two or three would maintain them. We expected the New York Central would maintain one or more such terminals, and possibly operate with one or more roads.

That was designed to cure the situation south of 30th street only. It did not touch the situation north of 30th street, therefore it was only one of the details or incidentals of the general plan.

At the time that was under active discussion, my recollection we had not yet taken up the problem north of 30th street. We were trying to solve this question of grade operation elimination.

However, nobody seemed to be satisfied with these joint terminals. The railroads declined to operate them, and maintained it would interfere with their present operation to have them, and it would not have been possible for us to insist upon it, as there was no power by which we could enter into such an enterprise.

Q. Did you confer with other railroad representatives? A. Yes, sir; at several times. In 1913, there was an offer made to get the other roads to say they would enter into operation of a terminal railroad south of either 30th street or 59th street, probably south of 59th street. It had been proposed by Commissioner Tompkins. A conference was held, and the attitude of each road was invited, and there is not a single railroad which did not declare to us emphatically that they would not enter into such a terminal. And then the question was put to them, whether in making an adjustment with the New York Central, these other roads desired the city to reserve from such road, elevated, subway or surface, whether they want the rights reserved to have operation on these lines which the New York Central would build, and they said they were utterly indifferent on that question.

We wanted the railroads to tell us they would be glad to have such rights reserved. We were trying to lead up to something like an agreement on joint operation, but there was not a single road which did not spurn the idea. And that conference terminated the discussion of general terminals.

Q. With those railroads did you go into the question of cost and the details of operation? A. Yes, but not exhaustively, they said it did not interest them.

By Chairman Van Benschoten:

Q. They stated other reasons, did they? A. They stated that they did not believe it was an operable plan, and that they did not think any terminal could be constructed which would not delay their operation. They did not think any advantage could flow from it. The sum total was they preferred to stand pat on what

they had. They preferred the old method of car floatage, which congests the harbor; but they find it is the cheapest method for handling freight for them.

At that time, the lighterage cost was absorbed through the freight rates, and it was a considerable item to the railroads what the lighterage cost was.

Now, these joint terminals suggested by Commissioner Tomkins, involved the idea of floating all the carfloats from all of the railroad termini in Jersey to a point somewhere in the neighborhood of 37th street, and there landing cars over float-bridges, and leading them upon an elevated railroad on West street to the point of distribution or destination. The railroad pointed out that whatever it would cost to build, maintain and operate that terminal railroad on Manhattan island, would be simply superimposed on their present cost of lighterage, as they would still have to lighter across the river, and take them down. We had not a very definite attitude on the question, and hoped to learn that they would be in position to join us in a general terminal. We were satisfied there was no use dealing with those railroads on the assumption that a general terminal could be built.

Q. And you abandoned the idea then? A. Yes; at the time we had been conducting negotiations with the New York Central, and they were getting to the point where they thought the Committee could reach an agreement. The Committee was not satisfied to reach that agreement without satisfying itself that nothing could be done with the other trunk line railroads. And therefore before we came to the Committee's adjustment of the New York Central plan, we called in the other roads and said "We are negotiating with the New York Central, and we may come to an agreement. Don't you want the right to reserve, so that in future you may have the right to come in there on the payment of the unit rate, that you could come in there and put your cars through?" They said, "No, we have no interest in it. We do not care whether you do reserve or do not reserve the rights."

We then continued negotiations with the New York Central, and came into the adjustment of 1913, and reported it to the Board of Estimate and Apportionment.

By Chairman Van Benschoten:

Q. Have you any reason, Mr. Mayor, to believe they have changed their attitude on that point since this time, that is, three or four years ago? A. Throughout all these negotiations, from 1914 to 1917, not one single one of the railroads has indicated a desire to come into the situation. They have known what the negotiations were; they were made public, and those of the officials whom I had met, have indicated to me that they have no interest in the matter.

By Judge Clark:

Q. You then proceeded, and eventually the Committee reported the plan of 1916, as it is called? A. Yes.

Q. That plan — A. Pardon me. I think I should tell you, in order that this phase of the matter may be finished — although the railroads took that position, our Committee was not willing to consider it final in the sense that the Committee was prepared to foreclose for all time the possibility of a joint terminal on the waterfront. And it was for that reason that in these negotiations during the term of the present administration, we insisted that the railroad structure, whatever it might be, should be built not upon the waterfront street, but behind it. That is the principal reason why you find in these plans of 1916 the railroad running down through private property on the west side of Washington street, and not along the marginal way or West street. We felt that should be kept clear and free for terminal development in the future when the roads might possibly change their mind under changed conditions.

Q. But you did arrive at the plan called the plan of 1916 after these negotiations early in 1916? A. Yes.

Q. And reported these plans to the Board of Estimate and Apportionment? A. I did not — I was not on the Committee but the Committee reported them, and I sat in most of the conferences.

Q. Now, this plan of 1916 contained a number of general principles such as perpetuity of franchise — A. No, it did not — pardon me for saying it in that way.

Q. It did not? A. No, sir. This plan of 1916 contained no change in particular from the plans of 1913. It contained

very substantial physical improvement over the plan of 1913. The plan of 1913 provided for a tunnel under Inwood Hill; so did the 1916.

The plans of 1913 provided for no roof over the railroad tracks south of Riverside drive. The plans of 1916 did provide for it.

The plans of 1913 provided no roof over the railroad tracks over the Viaduct. The plans of 1916 did.

The plans of 1913 carried the right-of-way of the railroad much farther out-shore, or substantially so along Riverside park, farther out than did the plans of 1916.

The plans of 1916 provided for what was half-tunnel and half-roof structure, the surface being carried over that roof, and it was less disturbing to the landscape than the plan of 1913.

The plans of 1913 provided for an elevated structure south of 59th street. The street was to be elevated, the tracks on the surface. The plans of 1916 provided for an elevated surface, from 59th street to 30th street.

The plans of 1913 gave the railroad an option as to whether or not it would construct for itself a subway under Washington street, 10th avenue and Washington street, from 30th street south to any point short of St. John's yard, that it might elect to make its terminals.

You see, there was no obligation on the part of the railroad to carry its tracks south of 30th street, but if it did, it had to go into a subway under Washington street.

The plans of 1916 provided for two-track elevated through private property and private streets, along 10th avenue, Washington street and Canal, where the terminal was to be located.

The plans of 1913 adjusted the questions of title into the 60th street yard; so did the plans of 1916.

I think the plans of 1916 provided for the acquisition by the city of more waterfront holdings from the railroad than did the plans of 1913.

The plans of 1916 provided that the railroad should be wholly removed from the waterfront, and have no access thereto except at the terminal stations shown upon the plans.

There might be other details that my memory does not suggest at this moment.

Q. Those were the physical differences? A. Yes, sir.

Q. As to franchise rights, what about those? A. I had no power to grant franchise rights, we had no power to grant franchise rights, and never undertook to do so.

Q. Do you recognize rights as having been bestowed upon the railroad? A. To the extent that they have been confirmed by the Court of Appeals of the State, and not otherwise.

Q. There was no provision in the 1916 plan as to readjustment of rentals of the new grants given to the railroad under this plan. A. There were no new grants given to the railroad under the plan. That has been a popular error. Parcels of realty were to be sold by the city to the railroad, and parcels of realty were to be sold by the railroad to the city. Sufficient real estate was to be sold in small strips and parcels to permit the railroad along Riverside park, for example, to extend its main line tracks to six hundred number. Further substantial tracts of land now owned by the railroad in fee, in the Washington Heights section, were to be sold to the city in order to prevent the railroad from commercializing those areas, and putting piers and docks there.

Back from 30th street down — the railroad to-day has a franchise over West street. That franchise, as a franchise, holds not from the city of New York, but from the Legislature of the State, and it holds it for such period as it holds any of its franchises, Albany and the West. There is no power vested in the city of New York or in the State of New York, save the power of eminent domain, which can be evoked to eject the railroad from what it has there. The only power there is in the State is the police power to compel the railroad to go up or down, not on another street, but where it lies, and this will become increasingly plain if the attempt is made to apply any police power.

Q. Do you understand the courts have decided that the city has no right to force the railroad to go on another street? A. I do.

Q. Do you remember where that is decided? A. No; the statement is based on 202 New York, plus the general body of decisions affecting this question all the way through.

Q. I think you have gone a little farther than 202 New York holds. A. Well, 202 New York confirms the railroad in its franchise over those streets.

Now, the Legislature possesses the power to compel the railroad to go up or down, but it did not have the power to make the railroad change the street.

I am merely stating that as my conviction of what the law is.

Now, take the situation south of 30th street. There was the railroad with two tracks on the surface. What this adjustment did was to put the railroad, still with two tracks, and only two tracks, on an elevated structure in a more desirable location.

Q. Below 30th street? A. Yes, sir, below 30th street; and in place of being an additional franchise grant, or even an additional license, as distinguished from the franchise grant, there is no franchise grant south of 30th street in this matter — there was a decrease as the entire tracks of the railroad south of 30th street are on public streets. Under the adjustment, the tracks of the railroad would have crossed public streets only; on the overhead structure wherever the side street occurs between 30th street and the southerly terminals. North of 30th street and between that and 59th street, there was an increase of facilities, four tracks in place of two.

North of 72nd street there was an increase of facilities, six tracks for a short distance and four for the rest.

That increase of facilities north of 72nd street was accomplished not by any additional franchise; not by any additional license to the railroad, but by a mere transaction of the sale of the land. Our control over it consisted in the fact that we did not need to sell the land. And their ability to do it lay in the fact that we did sell it.

By Commissioner Beard:

Q. And the right to cross streets was involved in that? A. No. There were no streets to cross between 72nd street and 96th street.

By Chairman Van Benschoten:

Q. You think it is a feasible method to permit railroads such as the New York Central, to have its right-of-way over privately owned property in the city? A. We think it was desirable. It got it out of the way.

Q. Does not it lessen the control which the public authority has over it? A. If you are granting a new franchise, where you

can establish control over a franchise, yes; but where you are adjusting additional franchises, I cannot see any difference.

Q. Was not the right or franchise which the New York Central had in the streets, merely a right to use? A. Yes.

Q. Now, when it owned a private right-of-way it owned the fee, and all the uses that went with it? A. Yes; that is to say, it would own the track for 200 feet, in a block, and then have the privilege to cross a side street, and then again it would own 200 feet, with another privilege to cross at the next block. Of what value is the fee without that privilege?

Q. You think there is no difference? A. I think the railroad situation was not improved in point of being independent of the city, in so far as there was control left, it existed there each time it crossed a side street.

Q. You mean that because the city could control at the crossings, that that gave, in effect, control of the whole line? A. Just as much as if it controlled the whole line.

By Judge Clark:

Q. Between 60th street and 30th street, between the two yards, there are now two tracks owned by the railroad company? A. That is true.

Q. Under the new plan there were to be four? A. Two tracks on the surface of 11th avenue?

Q. Yes. And this 1916 grant was four track? A. In the plan on the new marginal way.

Q. That would be a franchise? A. No; not more than a track laid in the terminal yard is a new franchise. It required the consent and license of the city, by virtue of this adjustment. They could not put that there without the consent of the city. That franchise covered all these facts once consented to by the city.

By Chairman Van Benschoten:

Q. Under the head of additions? A. Yes, sir. On that we have Judge Hughes' specific advice.

By Judge Clark:

Q. So you do not think the plan of 1916 granted any additional right to the New York Central? A. No, sir.

Q. And therefore you did not have to consider franchises or readjustments of rentals? A. Quite true. Had there been anything in this settlement which the railroad acquired which it did not have before, which, of itself, constituted a unit of operation capable of severance from the rest, or recapture by the city and of use by the city after recapture, then, despite the fact that it was not an additional franchise, I should have insisted as a condition of the city's consent to some provision for recapture or revaluation. That is to say, I would have undertaken to apply the principles which apply to such a settlement, and not to a franchise. But in this settlement the physical conditions were such that the railroad was not acquiring anything which was separable from the rest as a unit. In the same place the railroad has four, and in some places five, and in some places six tracks on Riverside drive. These additional tracks would have been an integral part. You would have crippled the railroad if you took them away.

By Chairman Van Benschoten:

Q. And it could not be operated by the city or anybody? A. No; and it would have been junk. In other words it was quite unlike the subway situation, where recapture was urged, and where had recapture been effected and operable unit of transit would have been taken into the hands of the city and been capable of operation by the city for a new operator.

By Judge Clark:

Q. Did this same question come up with the third track elevated? A. I suppose it did. I think the attempt has been made.

What do you think would happen if the city recaptured the third track of the elevated, and left the other tracks in the hands of the company?

By Commissioner Beard:

Q. Don't you think it is possible that two tracks from 59th street to 30th street might be operated? A. Hardly alone. The question arises there more substantially than at any other point. I do not think they could have been operated independently of the rest with any effect at all, particularly as we carefully reserved

space enough on the outside to build the two through tracks in case we ever came into operation with those Jersey roads.

Q. Why would not that have applied to the two additional tracks granted, as much as to the proposed tracks? A. I was about to answer that. It was urged upon us by the railroad and confirmed by our engineers, and we were convinced that the New York Central in order to operate the terminal facilities provided in this plan and take the commerce to and from the city which it should carry, would require no less than four tracks between the two yards. With the recapture of two of those four tracks, it would have made little difference in value to the city, but would have rendered ineffective and rendered inefficient the two tracks of the railroad. We tried to use that in the negotiations, to compel the railroad to do as much as we could get it to do of what we wanted it to do in the negotiations. But we did not believe it would be advisable for the city to attempt to recapture those two short tracks when it could not take all four. Nor did we think it advisable from the point of view of the commerce of the city to leave the situation in that shape. We felt we had protected the future commercial interests of the city in so far as they could be served by a joint terminal or municipally owned line, by providing not only the space for two tracks, but getting the consent of the railroad to use its westerly line of columns to support any railroad which the city or any contractor of the city might build.

By Judge Clark:

Q. Did you ever take up the question of the construction of a municipal freight terminal? A. I am not quite certain what that means, but I think we did.

Q. I mean municipally financed. A. Oh, yes. That was discussed and considered as we considered the phases of this question.

Q. What did you reach in the way of a conclusion? A. That the city did not have the money.

Q. Any more than it had when the subway was built? A. Oh, yes; the building of the subway deprived the city of borrowing power until the pay-as-you-go policy recoups it. That was one reason. Another was that the consideration of the Municipal Terminal Railroad on the West Side as things stood at that time.

would have been a gamble. We could not get any railroad except the Central to go into it, and the New York Central would not pay a rental which would warrant it unless it was so small as to serve only the New York Central.

Q. Did you investigate the question of compelling any of these railroads to go into it? A. Yes, sir; with a great deal of care we investigated it; and we reached the conclusion that it would be futile. The only way to exercise compulsion was to deprive the Jersey roads of their Manhattan terminals, as fast as their leaseholds expired. That might have been effective, but in view of the recent efforts to make the through freight rate terminate on the Jersey shore, and the attitude of the roads, that they would be glad to deliver freight to Manhattan consignees in Jersey, and leave it to the consignees to make delivery from there, something which this Chamber of Commerce and the Merchants Association and others have regarded with horror, and the city of New York paid a great many thousands of dollars to fight it before the Interstate Commerce Commission; and with these pendencies and views it seemed to be playing with fire to compel the Jersey roads to come into a terminal ungrateful to them by depriving them of their Manhattan terminals.

By Commissioner Ainsworth:

Q. You did not guess very wide of the mark in that prophecy. A. No, sir, I do not think I did. It has been a critical point, that if through any misfortune, through a failure to supply the terminal facilities in this city, without discussion and tomfoolery, there might come a decision of the Interstate Commerce Commission which allows the through railroad to add the lighterage cost from Jersey City to New York, then this city's commerce will lose millions and millions of dollars. That is a menace which has not passed away yet.

By Judge Clark:

Q. Did you, in considering these plans, consider a subway as contrasted with an elevated? A. Yes.

Q. What were your conclusions, and why? A. In the year 1913, negotiations, in the 1913 negotiations, we were strong for

a subway. The Committee was. It was less unsightly, for one reason, and because it left a surface free for any kind of development. We wanted that subway back, so we laid it out in Washington street; and so it was only after the utmost effort that we got the railroad to agree, even in that tentative manner, to a subway. Mr. Place has told me that they did not intend to operate in that subway; that they would stop at 30th street before they would do it. The reason the railroad was opposed to the subway was that the railroad claimed it was a practically impossible method of operation; with the number of openings from the subway into warehouse basements, which were necessitated along the line, and the construction of water tight pockets in the basement of all warehouses entered, would have made the cost of the line not only of the line, but of the commercial enterprises along the line, so high as to be prohibitive. They were opposed on that ground, and because operation in the dark or by artificial lighting was very expensive to them.

Those were the arguments used on both sides.

We abandoned the subway for the elevated on private property in the 1916 settlement, because it seemed to be almost as unobjectionable as the subway in Washington street, as far as the appearance was concerned, and the nuisance of open air operation as it would be practically passing through solid lines of warehouses; and also because we were convinced that commerce would be better served by an elevated road than by a subway. We were fighting away from an elevated road in 1913, because of its unsightliness. We never dreamed that the railroad would pay the price to purchase all these strips of private property.

To complete this history of subway construction, a most interesting scheme was suggested to us by a man named Willoughby, promoter of no excellent reputation. He proposed a subway under West street, really under the marginal way, with warehouses built above it, to be connected with Jersey by tubes under the river. Of course that involved the co-operation of the Jersey railroads, and we did consider the thing to the extent of checking appraisals of cost; and we were very much inclined to open negotiations with the Jersey roads, when this man Willoughby, who

claimed to be in touch with the roads and to have substantial financial backing, he blew up and disappeared. He was not financially responsible.

By Chairman Van Benschoten:

Q. Do you believe from the figures of cost obtained that it was feasible? A. No. Our engineer told us it was more expensive than Willoughby told us.

Q. Did your engineers ever make a comparison of the present cost, which the New Jersey roads had to meet in getting the freight over? A. Oh, yes.

Q. What was the result of it? A. The present cost is very much less. We must admit it is unscientific, the present method, and blocks the harbor and creates congestion, but it is the cheapest way to get the freight from Jersey to Manhattan.

By Commissioner Beard:

Q. Cheapest to the railroad? A. Yes.

Q. Is it cheapest to the manufacturers? A. I do not know.

Q. But in the solution of this problem that should be taken into consideration? A. I should take both into consideration; and of course the thing that interests the community is the cost to the community, and not the cost to the railroads. You cannot make it prohibitive if the community is to be served.

By Commissioner Ainsworth:

Q. Subject to your power to compel the New Jersey roads to do something, you have not the power to compel them to do this? A. We never had that power, and we had to have an agreement.

Q. So the other plan has the limitation of the lack of power to compel them to do it? A. It has at this time.

By Commissioner Rounds:

Q. Do you hold that the Legislature has power to exercise that compulsion on the Jersey roads? A. Of course, it is an interstate question. I do not know of any power residing anywhere to make private enterprise undertake such work as that.

Q. Do you know whether that question of the law has had consideration by any legislative body? A. No, sir. That lies outside of our body. It touches the Legislatures of two states.

By Chairman Van Benschoten:

Q. Have you given any special thought, Mr. Mayor, as to the effect of the present control of the railroads of the country? A. I am immersed in other problems at present.

Q. The tendency is apt to be towards unification of service, is it not? A. Yes. If we had an agreement between the Jersey roads, they would enter into a scheme or joint handling of the New York situation. If they had classification yards in the Jersey meadows, put tubes under the river and got into a subway or elevated road in Manhattan, that would let us distribute there. I think we would have the thing in good shape then. That would undoubtedly cost the Jersey roads something more than it has cost them to do, but those costs are often justified by future promise.

Q. That is your idea of the ideal way for the handling of this question? A. Yes, sir.

Q. Outside of the question of cost? A. Yes. There is the well-defined idea or discussion, as to the advantage of a bridge or tunnel. I do not pass on this question at all.

By Judge Clark:

Q. You spoke of the remark by Mr. Place, that they might have neglected to construct a tunnel below 30th street. A. Elected not to, not neglected.

Q. Was there ever any discussion of the abandonment or sale of the rights the New York Central claimed below 30th street, to the city? A. Yes. That is covered in the phraseology of the 1913 proposed settlement. That was one of the conditions the railroad made before consenting to consider the 1913 plans at all.

Q. Were you familiar with the legislation known as the Ottinger bill? A. I vetoed it.

Q. I mean the preparation of the legislation? A. No, not familiar with it.

Q. You do not know by whom that bill was prepared, or how it was prepared? A. Well, let me see: I think as first introduced it was introduced by Senator Ottinger himself, and probably drawn by the bureau at Albany. I do not know him. Then it was discussed by the Public Service Commission, and I think the draft of the bill which was finally passed was prepared by them. They

talked to me several times about it during the days before it was finally passed.

Q. Did you ever approve of that legislation in your conferences, before it took final form? A. Oh, no. I discussed with them the reduction of the objectionable features in it to a minimum, but I always objected to the entire plan of repealing the power in the grant in chapter 777 of the Laws of 1911. I do not think the Ottinger bill would have done so much harm if it had confined itself to providing a supposed method of compulsion without attempting to repeal the power which chapter 777 of the Laws of 1911 gave to the Board of Estimate and Apportionment to make a settlement on whatever basis the Board of Estimate might ultimately determine. The law did repeal that power by making mandatory the leaseholds, instead of fees for these irregular strips of land that form the mosaic.

Q. You never approved of the mandatory provisions in the 1916 plan? A. I approved the mandatory provision in 1910 or 1911, and I believe that had that been approved then, this question would have been settled. We would have attempted to exercise it, and we would have fought it out in the courts, and have a decision probably by this time. I think the time had passed for that legislation in 1917. We have gone under another grant of power, and evolved a fairly satisfactory settlement; and we thought it was needless at that stage of the matter to enact compulsory legislation; but had the Legislature sent down to me a compulsory bill alone, or merely grafted a compulsory feature on the existing law, I would have, I think, accepted it as it only meant an additional power to deal with the question. But when the Legislature repealed a power necessary to the completion of the arrangements that had been tentatively negotiated, believing it was a sound arrangement, believing that by any other means we had to look forward to years of discussion and litigation and difficulties, believing that the commercial interests of the port required some adjustment of that railroad trouble quickly; for all those reasons, I thought the Ottinger bill, which repealed that power, should be vetoed.

Q. And you did veto it? A. I did veto it.

By Commissioner Ainsworth:

Q. Practically the operation of the Act has been to throw a monkey wrench into the gear? A. I shall not attempt to prophesy. The effect of the bill up to date has been to prevent the completion of the adjustment between the railroad and the city. An attempt was made by the Conference Committee appointed by the Board of Estimate and Apportionment under the mandate of the bill, to work out an adjustment. That committee evolved what is called a settlement, I should call it a plan, which it announced, and the railroad promptly announced that it should have nothing to do with it.

Now, I understand the Public Service Commission must proceed under the attempted grant of power in the bill, to compel the railroad to go up or down.

That leverage may possibly be used to compel certain concessions by the railroad; but I think the time has passed when an agreement can be effected. Now they must compel the railroad to go up West street; and that puts the road on an elevated structure, and creates the barrier between the waterfront and the upland which we wish to keep away from.

By Chairman Van Benschoten:

Q. Why did not that condition exist when the Central was to go through the private right-of-way? A. We carefully preserved by agreement, the right to cross that right-of-way.

Q. So your committee, or the city authorities believed that cross-over rights sufficiently protected the future rights of the city, and prevented a barrier? A. Yes. Of course, if they put the New York Central up on West street, they could still cross under the general Railroad Law. But that barrier will be so much nearer to the actual water, and when you are landing your cars at the waterfront and taking them to the upland, you have a practically impossible engineering situation. If you leave those cars on the surface, you will impede all the traffic on West street and turn it into a freight yard. If you attempt to take it across by overhead, then in the very plane you will find overhead structures. You must go up two stories.

By Commissioner Stoddard:

Q. We were endeavoring yesterday to ascertain the preparatory steps leading to the Ottinger legislation, and in the mind of Judge Ransom, he said he thought he had a conference with you. A. Yes.

Q. And as a result of that conference, he had the impression that you favored that legislation. A. Did Judge Ransom say that?

Chairman Van Benschoten.—He said he conferred with you and you favored it as it was when it was first presented, but it did not then have this element of the 25-year readjustment period. That was inserted later.

The Witness.—I never favored any legislation at that time. Judge Ransom was asking me how far they could go and I still accept the bill; and I told him, as I recollect, that no bill could be or would be acceptable, which contained a repeal of the power granted under chapter 777 of the Laws of 1911; that the limit to which I could go would be to accept some additional grant of power of a compulsive nature. And we tried to eliminate the objectionable features in the bill, but they were not eliminated.

By Chairman Van Benschoten:

Q. Do you believe in any statute giving power to settle the details of any plan which might be agreed upon, that it is wise or unwise for such statute to contain mandatory provisions as to different features of what the agreement or solution might be? Or should that be left for the public body to pass on it? A. I think it is absurd to put the details in the bill, you substitute in that case the ignorance of the Legislature, for the expert knowledge obtainable by the local authorities; which is preferable, and you will always find ignorance on questions of this kind.

By Commissioner Ainsworth:

Q. The Legislature is not and cannot be so informed on these matters of expert opinion. A. It cannot, on general principles.

By Chairman Van Benschoten:

Q. The ignorance you refer to is the inability to go into the details of each measure that comes up there? A. Not only that;

but when in a body like the Legislature, a demagogic cry is made, the big corporation is to get something, there is at once a great hue and cry made.

Commissioner Ainsworth.— You need not confine that to the Legislature, because it applies to many dignified bodies as well.

The Witness.— That is true. If the mandate of that statute were carried out and the adjustment reached, the railroad would be running its track over a piece of land it owned in fee, its right track over that, and its left track would be running over land held under a leasehold. And you would find one column of a building in the 60th street yard would be founded on a fee, and the next column on an adjusted recapture of a leasehold; one track on fee, and the next track on a leasehold. That is the situation, and they did not understand that, and did not know anything about it. They did not have the faintest idea of what this was all about. They listened to a lot of talk about the grant of invaluable rights. Nobody knew what they were, or attempted to appraise them; and a lot of people came into the meetings of the Board of Estimates and discussed them, from ten million to two hundred million, without knowing what the rights under consideration were; just loose talk was indulged in as to the value of land; and when the land was appraised, after forty days' work by a committee of the most expert men in New York, they came back and said that the adjustment was about two million dollars better for the city than the Terminal Committee had reported in its report.

By Chairman Van Benschoten:

Q. Referring again to below 59th street: Is it your idea, Mr. Mayor, that unless the Jersey roads come in at the time a settlement is made with the New York Central, that the New York Central should be kept off the marginal way all the way down?
A. Yes. I should be sorry to see the New York Central put on the marginal way all the way down, with —

Q. Do you draw a distinction between below and above 30th street? A. Yes, sir. I think the situation is more critical below. North of 30th street we provided for the building of additional municipal tracks and for crossing track.

Q. Why would not that do below? A. I think you would have so many crossings, the main line could not operate.

Q. I do not understand just what you mean. A. North of 30th street, or between 30th and 59th streets, you have these four tracks of the New York Central. Now, there are only a limited number of side streets or blocks between those points. There could not be more than one siding to each block; that is a physical impossibility, to put more than one siding in each block. Here is the future municipal line with two tracks (indicating pencil sketch); if that condition were continued all the way downtown this line (indicating) having no right except to cross the tracks of the upland, you could not get effective operation.

Q. Then the plan above 30th street in this 1916 plan was that any additional tracks built there would be operated by an independent company, owned by a company different from the four tracks which the New York Central owned? A. Precisely.

Q. And they would have to have their cross-overs? A. Yes.

Q. Independent? A. Yes.

Q. And was not based on a plan of joint operation of the road? A. No; absolutely not.

Q. Supposing an arrangement could be made for joint operation of all tracks that might be built, do you see any objection then to the railroad being built down the marginal right of way? A. Then all objections except one, cease. That is the old objection we have always had, namely, the unsightliness of a great elevated structure running along the waterfront, so exposed as such a railroad must necessarily be. I was very much impressed with the scheme for a subway along the line, because it would be out of sight. That particular scheme could have connection with the upland property by the warehouses over them, everything to be delivered by gravity, and by chutes, to teams.

Q. Assuming, for the present, that a subway is not feasible, and that an arrangement could be reached for joint operation of all tracks, say with cross-overs, from the tracks to the west, would you believe the fact that the elevated was unsightly, would prevent that being considered the best plan? A. No. We have considered it so long, and the necessity is so great, I should waive the aesthetic consideration in favor of the commercial necessities, if you can get all of those roads to come into the solution.

Q. Suppose there was an agreement for the New York Central to construct the road down the marginal way, agreeing with the other roads to come in under joint operation and with proper consideration. A. That was put out by the New York Central several times to us.

Q. We would like to have the benefit of your experience on that? A. Well, to tell you the truth, we thought it was a means of getting in place, where they wanted to get with the two-track road, and a promise for the future which would never be carried out. If the New York Central would agree to build a four-track road, and hold it open to joint operation by other railroads on fair terms, that is all right.

But if the New York Central undertakes to build a two-track road and holds that open, look out, as they will be prepared to show when the future time comes, that those two tracks are necessary, all of them, for the exclusive operation of the New York Central Railroad.

Q. That is not the plan I suggested. Assuming the New York Central was ready to build a two-track road below 30th street. A. That is what I mean.

Q. (Continuing): And that they agreed that four or any number of additional tracks might be built at any time by the city or anybody with whom the city made arrangements. And upon those being made, a proper financial adjustment being made, their two tracks and the additional tracks should be operated by the railroads and the authorities interested in it. Do you see any objection to such a plan along the marginal way? A. Not very much, except what I have already mentioned about the appearance. Of course, I think that is done with the practical certainty that the other roads will not agree. I think they are betting on the fact that the other railroads would not come in. We wanted to be sure that if the other roads did not come in, that the New York Central would not be there with its two tracks.

Q. Is not the best place for a terminal on the marginal way? A. If it is a joint terminal, yes. If it is a terminal of the New York Central I do not believe it is. I do not believe it would be good policy to let the New York Central go there with two tracks under that arrangement, unless you had a promise from the other

roads that they would come in. It should be something which you could hold them to, as I think it would result in exclusive use of the marginal way by the New York Central.

By Commissioner Ainsworth:

Q. That is, if a two-track road was to be built and used by the New York Central only, then it should be off the marginal way?

A. That is it.

Q. And if an arrangement could be made whereby every right given on the waterfront could be open to the municipal use, if they saw fit to build the municipal way, or of the joint user of other roads, that might come in, then the only objection would be the fact that the New Jersey roads might not come. A. Yes; and if they did not come —

Q. Then you would have a bad situation. A. Yes. You would have the New York Central in possession exclusively, when you might have had it in a less satisfactory location. Secondly, this: Suppose those Jersey roads, instead of offering to come into a joint terminal in the future, should decide to put independent terminals on this side, that is far-fetched, but they might, there has been some talk of this tentatively in the last two years, and a tendency to create for themselves something similar to those unit terminals which our Engineering Committee proposed to use in 1912 — then your New York Central would be in the way. Therefore, my conclusion is, if I were dealing with this question — which, thank God, I am not, — I would want some definite dependable assurance from the Jersey railroads that they would come in. Then with that, if I could get the New York Central to throw these four or two tracks into the joint terminals when the other roads came in, then I would go ahead.

Q. Otherwise you would prefer to have it on a private way back from the river? A. I think so. But after all, it is a serious matter.

Q. Mr. Mayor, I think it is a calamity that with your knowledge of this great problem, you are not permitted to work towards its solution. A. I thank you for the compliment, but I do not care to do any more work on it.

By Commissioner Todd:

Q. What new Legislation, if any, would you suggest that would tend to the quickest and best solution of this problem? A. That is a very difficult question to answer. It is difficult for practical reasons. Of course, if the Ottinger-Ellenbogen bill had been enacted, and the Board of Estimate and Apportionment been free to exercise its own judgment, this suggestion, amended with a number of details, would have gone through. That bill has not been enacted, and it has not been possible to do this. Not only that, a new administration takes office on the first of January, which has denounced this settlement as something improper and inequitable. So the Ottinger-Ellenbogen Bill's repeal will not bring about the accomplishment of this settlement, as the Board of Estimate and Apportionment has declared it is opposed to.

When one of its members, the Comptroller, has been one of the most bitter opponents of everything in the nature of a settlement with the New York Central. Therefore, to recommend the repeal of the Ottinger bill would apparently not bring us any nearer to a settlement. I do not know what to say.

Answering your question in the best of good faith and with the best desire to give a helpful suggestion if I can, I do not know what to recommend.

By Commissioner Todd:

Q. Would it be your observation that this west side proposition has become a sort of football in the city's politics? A. It has become a football in this campaign.

Q. And has not the whole effort to obtain this improvement been effected by making it a football in the campaign. A. Yes.

Q. Then do you not think that the solution should be left to some body created by the Legislature, which would not be troubled by who would be elected Mayor, or who would be elected Comptroller, or who would be elected other officers of the city of New York? A. Well, I have always believed a matter which was as important as such as this, should be left to the determination of the local officers of the city government. The city gets the kind of government it deserves, in the long run, and if the local officers are not competent to deal with the question, that reacts very properly.

justly on the people of the City; on the other hand, the opposite reacts in their favor.

I believe in leaving a question of this kind to settlement by the local authorities.

By Commissioner Ainsworth:

Q. But this is the only terminal in the great city which the railroad possesses, and that railroad runs to every farm and to every hen's nest in the State; so isn't this of vital interest to everybody in the State? A. It is undoubtedly. And it is rather amusing to find this matter drifted into this situation, where the real inquiry today seems to be how to put it in safe hands, and lift it away from the damage done by the Ottinger bill.

But much as I appreciate the situation, the difficulty created and the damage done, the imperative necessity of the commerce of this city for adequate facilities in that line, still I am so strong a believer in municipal home rule, in municipal matters, that I still believe this should be left to the city authorities.

By Commissioner Stoddard:

Q. The fact that the railroad claims its right from the State and not from the city; and the fact that the courts have apparently confirmed that view, that must be considered too. A. Well, that is the case.

By Commissioner Ainsworth:

Q. It is impossible for me to see the city endure the present situation. It means with adequate terminal facilities here, it would be a wonderful help to its commercial life; and it would mean a cheapening of freight and the quickening of delivery; and the life of the people, when it comes to the milk question. When I think of all those things, I should think it would be intolerable here. A. This thing has been made a lever by demagogues and political nondescripts to lift themselves into office.

By Commissioner Todd:

Q. You do not characterize all of your opponents in that way? A. Oh, no. Men like Julius Henry Cohen and many others in opposition to this plan, have not only offered the same criticism, but have been helpful to the committee in meeting certain dif-

ficulties. No; I do not so characterize all of them. I have in mind certain ones. And yet despite that, and the fact that it might be done again, and undoubtedly would be attempted by some, I think it is so important that the city should be left to decide for itself these questions which so intimately affect its civic life, that it overbalances the other considerations which you have raised, namely, the effect on the rest of the State.

Chairman Van Benschoten.— They are the ones, up-State, who furnish the food upon which we live.

Commissioner Ainsworth.—And pay the freight to get it here.

The Witness.— If there had not been interference by the State, this would have been settled, and in a manner satisfactory to the State, long ago.

By Chairman Van Benschoten:

Q. Who did the interference originate with there? A. It began through discussion in the Legislature by city representatives sitting in the Legislature.

By Commissioner Rounds:

Q. Don't you think your body might have bargained more effectively if you had had a large grant of legislative power from the State, before you entered on the bargaining? A. That is why in 1911 Mr. Prendergast, Mr. McAneny and I asked the Legislature to give us a compulsive bill. Had we had it we could probably have brought these negotiations to completion sooner. I am not sure we even then could have obtained more.

Q. I asked the question as indicating the logic of the strong hand of the State, as such, if it be true that the city has no compulsive power, and the compulsive power resides in the Legislature over the railroad and its franchise, whether that does not make it logical for the State to play the greater part? A. One can argue very effectively on both sides of that question.

By Commissioner Miller:

Q. You think the State can give the city power in a compulsive law? A. That is subject to argument.

By Commissioner Ainsworth:

Q. There are limitations? A. Yes.

By Commissioner Todd:

Q. Can it be said that the city of New York has failed in this settlement? A. No; I think the city was doing the work satisfactorily, but at the moment of fruition, the Legislature stepped in and spoiled it.

Q. Then you think the Ottinger bill is what hindered the Board of Estimate and Apportionment from acting on this plan and approving it? A. Yes, sir. We were under an injunction at the time. An action was brought and it was tried before Mr. Justice Manning. That action disposed of the contentions there. And the Board of Estimate then would have been free to consummate that arrangement; and I think it would have been done before the end of the year.

By Chairman Van Benschoten:

Q. Do you think the Board of Estimate and Apportionment would have passed the 1916 plan? A. With certain changes.

Q. It could have been substantially reached? A. Yes.

Q. I thought Mr. Prendergast, when he was before us, gave us the idea that it would result in a tie vote before the Board. You said the Act passed at Albany stopped this solution. Would this have been approved by the Board of Estimate without that legislation? A. Certain amendments were to have been made. They have been published, and they have been worked out with the railroad, but not formally reported to the Board of Estimate. Those would have had to have been met. When it came to a vote in the Board of Estimate, I think there would have been nine votes; but of course Heaven only knows what the vote would have been until the vote was passed.

By Commissioner Todd:

Q. Did not this Ottinger bill originate in New York City? A. There, again, I must answer somewhat fully: Before this bill was drawn up by the Public Service Commission, other legislation had already been introduced, various forms of legislation had been there, and legislation of some kind had become inevitable.

Q. That emanated from members of the City of New York?
A. All of that legislation.

Q. All on that subject? A. I am not quite sure. It was legislation that had a political animus.

Q. It was the political animus in Greater New York caused that legislation to be introduced? A. Yea.

By Commissioner Ainsworth:

Q. My impression is that no bill affecting this situation introduced, except by a member of the Legislature from Greater New York. A. Very likely.

By Chairman Van Benschoten:

Q. Mr. Mayor, I think we had one witness who said that a great deal of water had gone over the dam since the 1916 plan was approved. Is it your opinion to-day that that is the best solution the city could expect to secure? A. That is a very broad question and involves a great many hypotheses. I think it was the best plan which our Committee was able to get the railroad to agree to under the power we had under the legislation existing at that time. I think the 1916 plan offered a solution of the east-west side question of great advantage to the city, equitable to the railroad, and giving to the railroad by the city nothing which it was not entitled to fairly and equitably, and surrendering to the railroad no rights not adequately compensated for.

Q. And you do not think the present conditions would cause you to insist on a different plan, if you had authority to-day to close? A. If you mean the conditions of the necessity of the war, and the necessity of moving freight and congestion which would lead me to greater haste in approving it, and also the question of whether the railroads are not considering the questions of unification, and are taking care of these terminals better than in the past —

Q. Taking care of them better? A. Developing them better than the railroad wanted to do that.

Q. May they not be willing to develop these terminals under the public opinion of the past six months? A. There is infinite room for speculation there. I think only the railroads could answer you there.

would like to know whether to-day you feel the terms and provisions of the 1916 plan were as good for the city as equitable for the railroad, to-day, as it could be executed? A. I do. I think if the plans were open for to-day, under existing conditions in the Nation, State and city, it would be still more desirable for the city to enter into an arrangement than it was six months ago, or before the war. None of these plans would not militate against anything in the way of unification or nationalization of the rail-

Sessioner Rounds:

Q. Do you feel the solution of the park problem in the 1916 plan is a good solution as can be reached? A. Yes, sir; as good as can be reached. That is to say, other solutions suggested had some appeal from the aesthetic point of view, but they were objectionable from the point of view of cost; and nobody could imagine the railroad taking them. For example, it was myself who made the studies being made of the cost of the railroad putting the tracks away all the way back under the Riverside Drive. We spent a great deal of time and money making estimates, and they showed a practically prohibitive cost. It not only did that, but it required the destruction of trees on the Drive, and at places where the nature of the tracks required much more of the park area than we cared to give, or than the plans proposed.

Q. The 1916 plan put the tracks under a roof, exactly where they were? A. The 1916 plan carried them a little further into the park than they were deeper under the surface.

Q. The people along Riverside park, who were very vociferous in their objection to these plans, so far as they touched the park, wanted the rails some ten feet. That was at least one thing they wanted — on the present right-of-way, so that no part of the park area would be disturbed. Well, that was estimated and found to be prohibitive in cost to the railroad. The only thing which that could have been done would have been by the sinking of the tracks to the cost, the additional cost involved in sinking the tracks ten feet, and building a waterproof box, which we were not to do, because they are right at the water, you know. Q. Now what it amounted to, or what it was.

A Voice.—Eight millions.

The Witness.—Eight millions. There was no eight million dollars the city could devote to any such a thing, nor did we believe that the advantage was measured by anything like eight million dollars. We did not believe there was any great advantage in it at all, and we were advised by competent landscape architects that this physical plan would have articulated with the park scheme as now existing, in a very satisfactory way, and would have augmented it into a harmonious landscape.

By Commissioner Rounds:

Q. What do you think of the suggestion of the Joint Committee in 1917, with reference to the park treatment? A. The Joint Committee of the Board of Estimate and the Public Service Commission?

Q. Yes. A. With all due deference to that committee, I may say to you frankly that I did not make a detailed study of this report, because I regarded it as merely academic.

Q. I meant simply as to the park situation? A. I did study it, but I did not study the details.

By Chairman Van Benschoten:

Q. Was the plan instead of removing the easterly side of the right-of-way wall into the park — was the plan considered of adding two tracks on the westerly side? A. Yes.

Q. What is the objection to that? A. That was the 1913 plan, and that created a perfect shriek of protest from all those people along there; some of the women who opposed it in 1916.

Q. Aside from the protests which were made to it, is there any particular objection? A. Only this, the 1916 plan is better, and better by just this and no more, that the 1913 plan would mean a wider flat area extending outward into the river from the limits of the present park; whereas the 1916 plan reduces the width of that flat area and put some of the railroad's right of way under the rising upland.

Q. Of course the 1916 plan would mean the tearing up of a portion of the park for two or three or four years, or something like that, so that is about the difference between the two plans? A. Tearing up a narrow strip of the park, nothing but a little, yes.

Q. Well, the operations there. A. Yes; but you never make any great improvement without some impairment of the service for a time.

Q. That is the objection that has been raised. A. It would have added 43 usable acres to the park area.

By Commissioner Rounds:

Q. What is your opinion, that if the New Jersey roads should join in on some marginal railway plan, that building a tunnel, based on their present lighterage, that there would be an economic plan for them on the whole; I understand that was not their view, but did you have an opinion about that? A. No, we realized, our analyses showed us that it would be more expensive.

Q. Does the experience of the South Brooklyn Terminal contain in itself, anything that is useful for us to consider? A. Yes, it shows the reluctance of the railroads to undertake an obligation of that kind, even when they are being — well, the word is not exactly expressive, but I was going to say — very substantially subsidized by the city. In the case of the South Brooklyn Railroad, the city offered these terminal roads to build the line, and to put them in there on a rental that would equal merely the cost of interest and sinking fund not on the whole enterprise, but on the main line, cutting out of computation the cost of yards which were not part of the main line, and leaving the rental in the future to increase sufficiently to make this self-sustaining. The railroads agreed to do it back in 1913, or were prepared to do it, if we had been able then to close with them, but because of the bad railroad situation which developed in 1914, and as continued down to the present time, the railroads have taken the position that they would not go into it. The way that was left was that the Pennsylvania, speaking to me through Mr. Rea, and the Long Island, through Mr. Peters, promised to take the matter under consideration through the railroads' representatives of all the lines. This promise was made in November one year ago, and to report back definitely whether they would undertake the operation or not, by the first of January, 1917.

I have no doubt they went into the study of the matter; I have

no doubt they came to the conclusion they did not want to undertake it, but they never reported back.

Since that time I have had one or two communications from them, in which they have said that the situation is so bad that they have not been able to come to the conclusion that they could undertake the operation of the line, and the net result is that they really are not willing to undertake the operation of the line. They are afraid that the cost of operation would not pay them.

Q. Well, do you have an opinion on that question, whether it would really, under the plan proposed—whether it would work out economically for them? A. Our conclusion was that in the first year or two or three, perhaps there would be a deficit, that they would have to carry, but that within a period of three or four years, if traffic would develop along that line, it would make it more self-sustaining for them, it would make it profitable.

Q. You had expert advice, I suppose, on these figures? Yes, but evidently they thought otherwise.

Q. What is the present plan of the city, the present program so to speak, to go ahead and finish the improvement? A. Well, if you can speak of the city having a program apart from its administration, I should say it was to go ahead and improve it, but if you mean what the program of the new administration is to be—I assume it will be to kill it dead.

Q. You do not feel that the state had the power to compel either the state or the city had the power to compel the Jersey roads to use that facility? A. I do not know how they can.

Q. And generally, on the question of the legislative power to help in the solution of this problem by compulsion, if I understand you right— A. You mean the South Brooklyn.

Q. Coming now to the West Side—no power to compel a location of the Central tracks below 30th street, for instance? A. That is my understanding of the law, but I am there only expressing merely my opinion as to what the law is, or what would be held to be.

Q. The city did not get a definite opinion on that point. That has never been tested out in this matter; whether it has been tested out elsewhere, I do not know.

Chairman Van Benschoten.—Your office wants you on the one.

Witness.—Perhaps they will hold it a minute. I will be there in a minute.

Commissioner Ainsworth:

I would like to ask this question, if the chairman will permit: The Public Service Commission from the impression derived from their examination, it is that they purpose to test the rights of the railroad company to the occupancy of the streets, the impression I get from interviews and articles in the newspapers is that the incoming administration is of the same opinion being true that the railroad says that they won't settle the Ottinger Bill at all; what is your solution of the kind of report this committee ought to make? A. Well, if you had an open-minded city government on the matter, which would repeal the Ottinger Bill,—but if you have a city government that is opposed to making any settlement with the New York Central on any equitable basis, it won't profit you to repeal the Ottinger Bill because you are left then to the operation of Chapter 777 of the Laws of 1911.

Then it is probably the province for us to report that we have an irresistible body meeting an immovable body? A. Well —

Commissioner Stoddard:

That being so, Mr. Mayor, and assuming what Mr. Ainsworth said in his last remark, what would you say — would you cling to the idea that the city and not the state, should not settle this, or fail to solve it, and drift along for years? I think the principal solution by the city authorities is one that should not be infringed upon; that the accident that the city administration is one that does not believe in this particular settlement, that ought not to be allowed to interfere with the principle of municipal home rule. Now, I believe that this matter should be settled by the board of estimate. I therefore believe that it should be left to the new board of estimate to settle, and if it settles it and settles it right, that is the responsibility of the city.

By Commissioner Ainsworth:

Q. But it is a crime to let it remain as it has been for years.

A. Yes.

Q. For four years without any action. A. (No response).

By Judge Clark:

Q. From my office in the Singer Tower, I can see six or eight docks down Liberty street and Cortlandt street. I see a dozen carfloats in there every day, some of them lying there four, five or six days; as you come up the dock, the congestion of carfloats becomes greater and greater; as you go up through the impossible tangle of trucks and teams on the lower West Side of New York and see the Pennsylvania terminal uptown, you see a string of vehicles three or four blocks long, interminably long, waiting for hours to deliver their freight; do you think that this plan of 1907, according to the New York Central railroad splendid terminal facilities is the best thing that can be done for the City of New York, or the people who are shipping in freight here, or receiving freight in New York from all over the country. Have we got to allow that condition to exist, and give only relief which may come up, giving the New York Central railroad splendid terminal facilities? A. Oh, no, you are not restricted to the New York Central settlement as a solution of all West Side problems; far from it. The settlement of the New York matter would remove that as one of the most vexatious elements.

By Commissioner Ainsworth:

Q. It would remove this congestion he speaks of? A. No, it would remove part of that congestion, but certainly not all of it, because that congestion springs in large part from the Jersey roads.

By Judge Clark:

Q. But you would eliminate the New York Central from the problem? A. Eliminate the New York Central from the problem and solve that.

Q. And you would solve that much of the solution, by allowing one of the factors to be eliminated. A. No, that is just exactly what I am trying to make from the beginning — you would

not prevent a broad solution by settling the New York Central matter. If you settled the New York Central matter by putting the New York Central on the marginal way, you would. If you settle the New York Central matter by keeping on and off the marginal way, you leave the situation open for the larger solution; but the danger is if you try to get the larger solution and refuse to settle with the New York Central until you get the larger solution, you will be reaching for the moon and losing your cheese.

Chairman Van Benschoten.— Are there any further questions?

By Commissioner Rounds:

Q. I would like to ask one or two more questions. Coming back to that question of the right of the Legislature to relocate, did you have any opinion on that; I ask that, because apparently, if I get it right, your method in the plan for bargaining with the Central was rather based on the theory that there was no power in the public to compel the solution; do I understand you aright?

A. No power in the public — no power then in the city; I have always recognized that there was a power in the Legislature to compel the railroad to come up or down.

Q. That is inadequate? A. I think it is inadequate.

Q. But, on the other hand, if there was power under the Legislature to compel relocation, and to compel perhaps the user with other roads, that power might be adequate? A. That power alone would not be adequate, because in order to get a thoroughly satisfactory solution, we have to consider not only those factors, but also the parks, and you have got to have the power to compel the railroad to go down or up or sideways in the parks as well, and to cover its tracks. My heavens! The covering is one of the most important features, and if anybody can show me any legislative power, any state power or city power, that can compel a railroad to cover its tracks, I would like to see it.

Q. But on the question of relocation, did you get an opinion as to how far the Legislature's power was on that? A. No, we did not, because the question was never presented to me. I am merely expressing my personal opinion as an attorney more or less, out of touch with this question.

Q. Then as to whether the city was granting the franchise, I understand you to feel, it was not granting a franchise to run over the private right-of-way, or to cross the streets, but that it was granting a new right to the railroad, which in practical effect was equivalent to the state franchise? A. No. I held and now, that there was no grant of a franchise at any point, that the city, in consenting to sell certain parcels of real estate, was permitting the railroad to expand its terminal facilities under its existing franchise held from the city.

In so far as crossing of streets were involved, there was a *quid pro quo*. They were giving up the occupation of streets in great extent than they were acquiring the occupation of streets, the net street occupation. What was their surface or overhead reduced by?

Mr. R. C. Harrison.— Almost two miles.

The Witness (Continuing).— I have it here somewhere, your practically reduced by two miles, so that even on the theory of the license or consent, there was nothing granted to the railroad.

By Commissioner Rounds:

Q. So that in strict legal theory, the railroad then was not giving up any of its state franchise below 30th street, for instance, from 30th to Canal? A. No.

Q. But that it was traveling through the private right of way and across the side streets, under that State franchise granted in 1846. A. That is the fact.

Q. And considerably modified? A. That is the fact, except this does not touch your point, but the railroad did give up its franchise from Canal Street to St. John's Park.

Q. Did you feel that any new body that may take up this bargaining should have the fullest possible grant of Legislative powers, would that be a mistake? A. I think it should. If it is in the hands of men who are competent and honest and whose judgment won't be warped by the yapping of the demagogue, I think the fuller the grant of power, the better.

Q. But you are inclined to feel that the new powers of the new rights to bargain, should be proposed in the Board of Estimate rather than in some new and independent Commission? A.

believe in leaving the Board of Estimate to settle this question; yes, I do believe in that, and if they settle it badly, that is the fault of the people of the city, and if they settle it well, they can congratulate themselves.

Chairman Van Benschoten. — Mr. Mayor, we want to thank you for coming and giving us your views on these matters. You will remember that the telephone is waiting for you when you are through.

At this time, before taking up our next witness. I want to announce that next Thursday morning, the morning of January 3rd, at 10:30 o'clock, Mr. Theodore P. Shonts will be the witness at this place, and in the afternoon of next Thursday, January 3rd, Mr. Underwood, President of the Erie Railroad, will testify, and that one week from this afternoon, on Friday afternoon, of January 4th, at two o'clock, the public hearing will be open for anyone who desires to make a statement, the Commission being desirous of procuring information or suggestions from every source; and to give everyone an opportunity to be heard, and naturally, under such conditions as that, we will have to make a limitation of ten minutes to each one, so that many can be heard, if they so desire. Probably the other sessions will be announced later.

We will now ask for Commissioner Smith.

R. A. C. Smith was called as a witness, and having been duly sworn, testified as follows:

By Judge Clark:

Q. Mr. Smith, you are Commissioner of Docks and Ferries of the City of New York? A. Yes, sir.

Q. And you are the author of this valuable pamphlet, "The West Side Improvement and its relation to all of the Commerce of the Port of New York"? A. Yes, sir.

Q. Which we are very glad to have on file with our records. You have with you, have you, a record of the waterfront on the West Side of the city, as connected with the railroads, as owned or controlled by the railroads? A. Yes, sir. Would you like to have it by map?

Q. You furnished the map which the secretary has? A. I have some more here, Judge. I brought a few more, so that each member of the Committee will have one (hands over copies).

Chairman Van Benschoten. — Thank you.

Q. We would like on our record, Mr. Commissioner, some record as to the docks and bulkheads and piers on the West Side of the city that are controlled by the New York Central. A. Yes, sir.

Q. You were good enough to furnish this memorandum. A. I shall be very glad to put this in evidence as the complete record of the piers, bulkheads and waterfront property.

Q. I would like to have that marked. A. Leased or held by the New York Central under the permits of the Dock Department.

Chairman Van Benschoten. — I suggest the stenographer put this right in the record.

(The paper was received and marked "Commission's Exhibit No. 29", of this date.)

The paper is as follows:

Ex. 29

Dec. 29, 1917

THE CITY OF NEW YORK DEPARTMENT OF DOCKS
AND FERRIES OFFICE OF THE COMMISSIONER

R. A. C. Smith, Commissioner

Pier A, North River December 20, 1917

Hon. John C. Clark,

Counsel, Committee to Investigate West Side Improvement,
149 Broadway, Manhattan.

Dear Sir:

Pursuant to your telephonic request, I submit below statement of outstanding leases and permits to the New York Central Railroad Company:

WEST SIDE RAILROAD SITUATION

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Pier No.	LOCATION	Original date issued	Date of expiration	Rental per annum
23	Jay street, N. R., and bulkheads. . . .	Sept. 17, 1891	Oct. 1, 1921. (Renewal to Oct. 1, 1931, at \$52,000.)	\$50,000 00
	Land under water for pier extension.	Oct. 1, 1911	Oct. 1, 1921. (Renewal to Oct. 1, 1931, at \$2,399.36.)	2,807 08
	Bulkhead south of Pier 24.	Feb. 11, 1909	Oct. 1, 1921. (Renewal to Oct. 1, 1931, at \$4,685.12.)	4,259 20
31	Watts street.	June 16, 1899	July 1, 1919.	26,250 00
	Bulkhead north.	July 5, 1899	July 1, 1919.	3,150 00
72	West 32d street.	July 20, 1911	Revocable permit.	74,344 17
73	West 33d street.			

NOTE.— These piers and No. 71 were held under one permit — rental \$124,677.50 per annum. June, 1915, Commissioner Smith requested of the New York Central the surrender of No. 71 and recommended a 3-year lease to the Cunard Steamship Company, approved by the Sinking Fund Commission June 16, 1915, at rental of \$50,333.33.

Pier No.	LOCATION	Original date issued	Date of expiration	Rental per annum
	Land under water for transfer bridge south of Pier 73.		Revocable permit.	\$5,548 13
76	West 36th street.	Aug. 12, 1904	Oct. 8, 1924. (Renewal to Oct. 8, 1934, at \$30,318.75.)	28,875 00
83	Between West 42d and West 43d streets, and bulkhead north.	Nov. 15, 1905	May 15, 1927. (Renewal to May 15, 1937, at \$21,901.)	19,910 00
	60TH STREET YARD			
	West 59th street.	Oct. 4, 1901	Oct. 1, 1921. (Renewal to Oct. 1, 1931, at \$15,435.)	14,700 00
	Land under water for track trestle.		Revocable permit.	655 20
	South half of bulkhead at West 60th street.		Revocable permit.	300 00
	Land under water, 60th to 65th streets, for two piers built by company.	April 23, 1884	Aug. 1, 1924. (Last renewal.)	9,000 00
	Land under water for transfer bridge south of 63d street.		Revocable permit.	922 50
	Land under water, south line of 65th street and south line of 72d street, westerly to pierhead line of 1868.	April 28, 1890	April, 1916. (\$18,344.15; revocable permit.)	34,620 40
	Land under water for extension to Pier I, between 69th and 70th streets.		Revocable permit.	540 00
	Bulkhead at 143d street, North river		Revocable permit.	120 00
4	Broad street, East river.	June 1, 1911	June 1, 1921. (Renewal to June 1, 1931, at \$25,417.40.)	22,867 40
34	Foot Rutgers Slip.	Jan. 1, 1911	Jan. 1, 1921. (Renewal to Jan. 1, 1931, at \$26,735.63)	25,462 50
	Land under water for extension to west side of Pier 34.	Jan. 1, 1911	Jan. 1, 1921. (Renewal to Jan. 1, 1931, at \$1,640.36.)	1,502 25
3	Wallabout Basin, Brooklyn.	Aug. 24, 1906	(First term, Nov. 1, 1916, at \$15,750.) Nov. 1, 1926.	17,325 00

CITY PROPERTY LEASED IN CONNECTION WITH PRIVATELY OWNED PIERS

Land Under Water for Extension to Pier 17, North River, Foot of Barclay Street.

Fixed by agreement May 19th, 1905, and August 1st, 1907, without time limit at \$915 per annum.

Land Under Water for Widening and Extending Pier 17, North River.

By lease October 23rd, 1916.

Term: Dec. 1, 1916, to May 1, 1926, rental \$7,255.60 per annum.

May 1, 1926, to May 1, 1936, rental to be fixed by arbitrator.

Land Under Water for Widening Pier Old No. 45, Foot of Jefferson Street, East River.

Held under revocable permit of the Commissioner of Docks.
Rental, \$785.40 per annum.

Land Under Water for Platform Between Piers Old 45 and 36, East River, Near Foot of Jefferson Street.

Held under revocable permit of the Commissioner of Docks.
Rental, \$1,763.03 per annum.

AWNING SHEDS, CAR TRACKS AND MISCELLANEOUS

Awning Shed on Marginal Way South of Pier No. 23, North River, Near the Foot of Harrison Street.

Held under revocable permit of the Commissioner of Docks.
Rental, \$223.60 per annum.

Privilege of Maintaining Car Tracks on Marginal Street Between West 11th Street and Gansevoort Street, North River.

Held under revocable permit of the Commissioner of Docks.
Rental, \$340 per annum.

Privilege of Maintaining Car Tracks on Marginal Street Between Piers 72 and 77.

Lease July 12th, 1904.

Terms: Oct. 8, 1914, to Oct. 8, 1924, rental \$1,800 per annum.
Oct. 8, 1924, to Oct. 8, 1934, rental \$2,000 per annum.

Privilege of Maintaining Car Tracks on Marginal Street Between Piers 71 and 73, North River.

Held under revocable permit of the Commissioner of Docks.
Rental, \$977.50 per annum.

Platform on Paved Area North of 135th Street, North River.

Held under revocable permit of the Commissioner of Docks.

Rental, \$1,863.60 per annum.

*Permission to Maintain Crib Platform. Independence Avenue,
Spuyten Duyvil, Borough of the Bronx.*

Held under revocable permit of the Commissioner of Docks.

Rental, \$100 per annum.

“ I attach hereto map showing the properties occupied by the New York Central Railroad Company on Manhattan Island.”

Q. And this map is a perfect representation of the same? A. That I thought would be aiding your Committee. It was prepared primarily for the Interstate Commerce Case, that is the New Jersey Case.

Q. And that I will ask to have marked.

(The map was marked Exhibit No. 30, of this date.)

The Witness.—Of course you understand, sir, that shows all the different railroads occupying the waterfront.

Q. All of the railroads? A. Yes, it is not specifically the New York Central, but all railroad occupancy, shown by this legend here, for instance, “Waterfront used by railroad”, in yellow, close by ships, canal boats, and miscellaneous, showing these various colors.

Q. But the map does not distinguish as to the New York Central? A. No, sir. I should be very glad to furnish you with a map if you prefer it.

Q. You have a record, I understood you, of the docks and ferries and bulkheads controlled by the other railroads? A. Yes. The map that I accompanied, sir, with that statement, has just arrows pointing to the New York Central occupancy.

By Chairman Van Benschoten:

Q. I see; that is all we need. A. We will mark the arrows on those maps.

Q. That will be very nice. A. You have the map here, the map I sent Judge Clark. I will furnish another one.

Q. We can let it go for the present and have one of these maps marked. A. That is referred to in the communication.

By Judge Clark:

Q. I understand that your Annual Report for the year ending December 31st, 1916, contains a memorandum as to the waterfront properties leased or controlled by the various railroads?

A. Yes, sir.

Q. So that from that we can get the specific information?

A. Yes, sir, other than private property, of course—

Q. Yes; the public waterfront. A. The private property occupied by the railroads.

Q. How much waterfront property, if you can tell us, is owned by the New York Central Railroad, your map and statement give the property that is leased by the New York Central; can you tell us the amount that is owned? A. I could not from any records I have before me, sir, and I would have no way of ascertaining that, excepting from the river itself. Is your map colored, which you have in evidence, I mean the 1916 plan?

Q. I think not. A. On this 1916 plan, there is marked in color, the ownership of the New York Central.

Q. And that is our Exhibit 3, "West Side Improvement Plans"? A. Yes.

Q. After you leased these docks to the several railroad companies, you have no control over their use. A. No, sir.

Q. They can use them for storage purposes, for tying up their car floats, just so long as they wish? A. Yes, that is true.

Q. Do you keep records of their use at the docks at all? A. We have no department or bureau, or statistical bureau in our department that would enable us to keep those records, but we do get them from time to time, as occasion may require.

Q. I ask that question, because the statement has been made to us that our waterfront property is being very largely used, practically for storage purposes, by railroad companies. A. Well, there is no doubt that some of the railroad piers and railroad stations at times, are holding a great deal of storage goods, that they are unable to get out of their way, because of the fact that they have been consigned to certain lines of ships and the ships

are not available, and the goods have to be held over, but they are not used, sir, in the sense of storage warehouses propositions. The goods in transit are only held for a period of time that the railroads really require to hold them.

Q. What I mean is, that car floats are brought over here and tied to docks, and stay sometimes for some four or five days before they are unloaded; that our docks are cluttered up, that our waterfront is not being used as it might be used for the purposes of commerce, but rather for the storage of goods in those carfloats belonging to these railway companies. A. But the conditions, I can tell you, from my own observations and my own studies — we are not prepared to go into the record of whatever the railroad is doing, but I can say this, that the railroads desire to get their cars over and unloaded, and back into their rails as soon as possible, but there are certain conditions prevailing in this harbor, as they do in all other harbors in this country, that it is simply impossible for them to get possession of their cars and the unloading of their cars within the proper time. That is a matter of record, clear record of cases that have been before the Interstate Commerce Commission and other Federal investigations.

By Commissioner Miller:

Q. Mr. Smith, have you considered the feasibility of a marginal railroad, from the standpoint of cost and operation? A. On the West Side?

Q. On the West Side. 3. South of 30th street?

Q. South of 30th street. A. I have not gone very fully into the actual details of construction. We have figures covering two or four tracks, but the matter varies so that it is useless to make any attempt to get any figures.

By Judge Clark:

Q. Are you a member of the Board of Terminal Commission, the Board of Estimate and Apportionment? A. I have been since the year 1914.

Q. So that you have been giving a good deal of study to this problem? A. Yes, sir; and I may say prior to that — prior to my taking office, for some time prior to that I spent a number of years in the general study of port questions.

Q. Would the plan of 1916, as reported by your Committee, solve any of the waterfront problems which now exist as to the storage of property in lighters or the cluttering up of our docks by this great quantity of carfloat property? A. I would like to answer this in this way, that in my opinion the solution of our port problem is entirely dependent upon the adjustment and settlement of the New York Central West Side proposition. No matter what plan is adopted, that is absolutely essential. It is our only line into the island, as you know, and in the adjustment of that West Side plan, with the New York Central, will depend very greatly the adjustment of all the Jersey trunk lines ending on the New Jersey shore, as to access, and proper operation on the waterfront of New York.

Q. Do you believe that a satisfactory solution can be obtained by treating separately with the New York Central and the Jersey roads? A. I think that is the only way it can be done; it has been attempted, conferences have been had with the railroads. The Mayor has expressed it to you here. I know of that. I have been to conferences myself, and their general attitude and answer has been that when the city settles that matter, it will be time enough for us to determine what will be best for the rest — that in general is about the attitude.

By Commissioner Stoddard:

Q. When you say it settles that matter, Mr. Smith, do you mean to make a plan? A. I mean the adjustment of the rail connection into Manhattan island by the New York Central.

Q. In that adjustment, in order to interest the Jersey roads, if you were to take that up as a separate proposition, would it not also be necessary to show the roads from the other side of the river, that in that adjustment some provision had been made for them?

A. Well, I will say right in that connection, that when the 1913 plan was before the public and under discussion, and practically reaching on either a settlement or rejection, I took particular pains to consult some of the railroads as to their position in reference to access to that subway that was proposed, and their answer was "Go ahead and build the subway, and we will tell you afterwards what we will do." But when pressed, they said they would not

go into it; they could not. There are physical impossibilities connected with this entire planning that almost make it prohibitive to endeavor to carry out — well, for instance, in that particular case of the subway, no other Jersey roads could enter into that subway and operate.

Q. Suppose you had an elevated, would the same physical objections and obstacles enter there? A. No, I do not think the same objections would enter there; it depends entirely on the size of the elevated, and magnitude thereof, and the number of tracks. I am not a railroad operator, but I have had a good deal to do with the operation of the railroads, and have seen them operated, but this question, to my mind, is one that in the studies we gave of having provided for the proper entry of the New York Central passing to its yards at Manhattanville, by reducing those yards to the minimum based upon the requirements of that particular locality — and after conferences, many conferences with the commercial interests in that section, the question of the taking of the yard to the eastward of the viaduct was disposed of.

The question of keeping the yard as it was under the 1913 plan, as proposed by the railroad then, it was a railroad proposition, which covered a very large area, that was gone over, reduced, and the railroad was asked to reduce it to the minimum, and they reduced it as they thought, which was as far as they could go. We took a hand in it, and we finally reduced it to this particular point of 1916, making it the very best plan we could solve for that particular locality, and even now I doubt very much if it is large enough to meet the requirements of that particular locality, so that from that point we cannot say very much more.

Now, we come down to the 60th street yard, and there we are confronted with the situation of meeting the enormous handling of the freight that the railroad brings over its lines for proper distribution to its various points, and to the 30th street yard, and that was gone over very carefully, and I believe the plans of 1916, as worked out by the City Engineers, are about the best we could suggest and the best we could make out, when we reach the 30th street yard, by the four-track elevated road on 12th avenue, provision being made for two additional tracks for occupancy by any other foreign road. Now, there, Mr. Stoddard — no other foreign

roads would go beyond 59th street. Therefore, the two tracks would be ample to come from the south, north, or if the tunnel or a bridge or any other form of access to the New York side was provided, why, it would only come possibly from the north. If the bridge came over that section of the harbor, it would naturally, by some way or another, come down to meet that point in the north, but in reality, it is really a spur from the south.

Q. Yes. A. And after the 30th street yard, you all know what a horrible mess that is, and how serious it is to the city of New York, and why our people are suffering from the lack of proper delivery of their goods, and the interminable delays and the tremendous cost — if that yard had been completed under the present plans today, we would not be suffering as we are; but, with the recent storms and the inability to get the goods and the things that have been going on — I notice in the papers yesterday, of the Commission of which Mr. Whitney is, I believe, a member, discussing the question of unloading cars, ordering cars to be unloaded, the question is, how are you going to get to some of those cars with the conditions that prevail in winter. Under those plans, a perfect freight terminal under cover was provided.

Q. Double track terminal, was it not? A. Double track terminal, so that the teams would be out of the weather and the loading and unloading would go on as rapidly as it should be, and with all my experience in these matters, I could not discover any fault in the plan.

By Commissioner Ainsworth:

Q. Mr. Smith, you heard Judge Clark's question to the Mayor with reference to that congested condition of the teaming up there; would the 1916 plan have reduced that? A. It would, in a very great measure. In fact, I think it would eventually solve the plan, as I say, if — my first point is the New York Central plan would compel the other roads to so improve their terminals, that water stations, we might call them, and access into their inner stations, for which they have access by track rights on the street, from the car floats into their terminals — for instance, you take the Baltimore & Ohio, the Baltimore & Ohio have got a very excellent terminal, as you know, at the foot of 25th street. I do not

know whether you have seen it or not. It is connected with the waterfront. Well, you won't find that particular kind of congestion at that point, and it would be very good if you gentlemen could see that terminal in operation.

By Judge Clark:

Q. Where is that? A. At the foot of 25th Street, North River, there the Baltimore & Ohio built this very large warehouse at very large expense, and the cars on the carfloats pass over the street from a permit from the city, a revocable permit, through under the highway, also a permit from the Board of Franchise, and these cars are brought into this inner building and they are discharged, and lots of valuable cargo goes in there, food-stuffs, and every kind of merchandise that is routed over the Baltimore & Ohio to that particular station, in connection with their warehouses, so a lot of goods can enter and go to the warehouses, and are withdrawn by the merchants as they require. They require the entire block, and also intend to add greater facilities.

Right in that point, and to meet that question, we have before us now the question — or rather, we had it before the sinking fund yesterday, of the Lehigh Valley. They are occupying a pier station, No. 66, and they are very anxious to improve their terminals, and they are negotiating, or are about to negotiate for a very large tract of land in shore on the marginal street, that is east of the highway. Naturally, they wanted to extend their leases. They have two years to run, but were perfectly willing to go into the expenditure of two millions of dollars, in that improvement, provided the city would assure them of long continuation of the power.

By Chairman Van Benschoten:

Q. What was the character of that improvement? Did it run inland, across the marginal way? A. Across the marginal way, right on the easterly side of the street, right facing the pier. It is 250 feet across there, about, 180 feet is the marginal way, and the balance, 80 feet, is the highway.

Q. Do they run their cars across the marginal way; what street is that? I have forgotten. A. Pier 66 is at the foot of — where is that — track 26, just above the Baltimore & Ohio, that

entire block I think will be devoted to a great deal of this railroad occupancy. Will you permit me to finish that? I can assure you it is quite important that the gentlemen should understand this. The railroad, of course, requires a long enough lease of power to warrant them going to that expenditure. Therefore I made the proposition to the sinking fund that the present lease which expires in two years, should be surrendered by the railroad and a new lease entered into for a ten year period, say three year periods, each period under proper grants fixed by the sinking fund, the rate that they are paying now was advanced from 45 per cent at that point showing you —

By Commissioner Stoddard:

Q. An advance of 45 per cent? A. An advance of 45 per cent, that was saying that if the sinking fund had not approved believing that the railroad should pay for the two years, and surrender the same price they were willing to pay for the balance of the period — it was my recommendation, — and my negotiations were rather hard on the road when I advanced their rentals nearly 45 per cent.

By Commissioner Rounds:

Q. What is the theory of such an advance as that — the city needs the money? A. The sinking fund; and when I am negotiating for the city, I negotiate to the best of my ability; I believe Mr. Miller can bear that out.

By Chairman Van Benschoten:

Q. That means an increase of value to waterfront property? A. I understand but the rental was made some year ago.

Q. That is what I meant. A. And we are trying to equalize wherever we can. We are standardizing, as it were, instead of equalizing our rentals, so that everyone can be practically on the same basis. We fixed a price — so much for the bulkheads and so much for the square footage of the pier, according to the character of the pier and surroundings.

By Commissioner Ainsworth:

Q. As I understand it then, in trying to fix the charges for the pier, to be used as a railroad terminal, your effort is to get as much

revenue out of the traffic for the coffers of the city as is possible, ignoring the people who ship or receive goods to get a service at the low price.

Commissioner Miller.— That is right, Mr. Commissioner.

By Commissioner Stoddard:

Q. Mr. Smith, in the case of the B. & O. that you have just recited there, and the Lehigh Valley, which you have under consideration, both of those roads will cross the marginal way with their cars? A. Yes, sir.

Q. And of course there must be a substantial number of cars, in order to justify such large enterprises as they are engaged in; do you consider that the best solution of the terminal proposition in New York City, I mean by that this—to illustrate it in this way: The desirability of a joint elevated terminal here along the marginal way may be affected considerably and modified greatly, by what may be the undesirability of allowing railroads to use the waterfront, the piers, so extensively; would it not be the better policy for the city to provide a marginal elevated structure to carry all this freight off the surface of the street, and not have it punctured at different places; now the B. & O., now the Lehigh Valley, now the Pennsylvania, and some other crossing the way. As a policy, would it not be a better policy if the city could develop either a terminal system that would either be municipally or jointly operated by all the railroads, that brings us to the heart of this question, I think? A. Well, it is a vary large question.

Q. Very. A. And I can only touch on it here and there. I cannot conceive of—well, I would rather give you, first of all, certain studies that I have made, to show you, and possibly to get your own minds and afterwards to the other question, if possible. Take, for instance, the Pennsylvania road, the Pennsylvania road operating three piers, not very far distant from here, piers 27, 28 and 29. They have about 550 feet of bulkhead, and the piers stretch out into the water 900 or 1,000 feet.

They bring into those pier stations, every day, every 24 hours, a very large number of cars. Some days they bring in 400 cars. Now, to take those cars out of that one station alone of the Pennsylvania—to take those cars and to throw them into a terminal,

means an enormous amount of trackage. I have been trying very hard to solve the problem, I can assure you, but I failed absolutely. It is simply an impossible operation. The cost of operation would be terrific. For instance, assume that it was only going to be the Pennsylvania Railroad, which had a terminal there, and if I was going to handle those three piers, never mind the piers up at the 30th street section, where they have float-bridges, and also a station like the Baltimore & Ohio, and a big yard back of them, I found it would take seven city blocks with the corresponding streets, to simply hold those cars every night for 24 hours that come over from these car-floats.

By Commissioner Ainsworth:

Q. On this one road? A. Of this particular station of this one road, just the downtown station, which is a very large station.

I have the records of the amount of tonnage that comes over that particular pier, or those particular piers, and right at this point, let me cite to you just one instance of my difficulties, Judge. I have been for over a year, and I have been for years, for that matter, begging and praying of our people here, particularly the sinking fund, or rather the Finance Department, to release to the sinking fund my proposition — to permit my building a gangway, 30 feet gangway, alongside of pier 29, the Pennsylvania pier, that in no way represents practically the width of a car-float; it is nothing more than an open pier attached on to the regular closed pier. I negotiated with them, with the Pennsylvania Railroad on these terms — that they would pay the actual cost of that new pier, or open street, as you might call it — they would pay the city for it, in so many installments. That is according to the terms of the lease; if they had 19 years to run, there would be 19 installments.

By Commissioner Ainsworth:

Q. Amortized? A. It was different to an amortization, they should pay just so much percentage.

Q. Yes. A. One-nineteenth of the total cost, because it might cost \$100,000 in addition to that the interest the city fixed, so that the city, at the end of the period of time would own that pier, but I could not get that into the heads of our engineers of the Finance

Department that that was an absolutely necessary thing to do for this city, even if the city paid for it; and the result is that we go out of office now leaving simply the record there; where, as to-day you would be able to come to us and I would be able to answer you that we will have solved that problem. Look at it now! You do not find those works on the marginal way. Where have they gone? You understand some of these piers are 900 feet long, and they back up and get their goods.

What does the railroad say? "That disturbs one that we built of carfloats. We are willing to do that, where we think the experiment is going to be a good one, and we will pay for it." What do our city people say — well, because we occupy that space, and you put in that pier, the railroad should pay in addition to that, for occupying that space. I said, "We have already released that pier to the railroad for the water space; and you have taken the water away; what do you want more to pay; you wanted to pay for the structure and water and interest," — and you know what I have been up against.

Commissioner Miller.— I do.

The Witness (Continuing).—So I want to tell you frankly the very question you have asked about that marginal way can be solved and it would be solved, but it won't be solved until you have some power, and somebody that has the power to do it. You do not want to have too many engineers working on these things.

By Commissioner Miller:

Q. Mr. Smith, do you think the plan is feasible to operate a marginal road along the marginal way on the West Side, and run cars out on the pier to the second story? A. No, sir, only in a limited way. Perhaps I can best illustrate it by actual demonstration. During the Jersey rate case, I caused a plan to be prepared for the examiner, which gave very graphically the conditions why it is impossible to operate the cars on those piers. (Handing plan to the chairman).

I might say at the moment, that in the building of the piers, the new piers that I have built under my administration, that we built nearly eight miles of piers in length, that I have always provided for car tracks; but the steamship companies do not want car

tracks. I said "All right, we will provide for them; it is better to provide for them now and build the foundations for them now than later on."

That illustration there shows that these two ships actually loaded during this year of 1917, 16,000 tons of cargo. They took on board those two ships, out of this harbor last January that amount. At that time I had, and I have now, the records showing the average tonnage that comes over by car floats, that is, Jersey tonnage that comes over, which is represented by about 20 per cent. The amount of goods that were trucked on to that pier were represented by 40 per cent. That makes 80, and 20 per cent came from what we call floatage, from the terminals, like the Bush Terminal and the Bliss Terminal, and other terminals.

Now, we have 40 per cent of cargo on those ships, and that represented 9,600 tons. Now, if we give 20 tons to the car, and that is a very large tonnage, as I think, people will admit, assuming there was rail connection and you were physically connected with a marginal railroad — it would take 480 cars to deliver the goods to that pier, and coupled in one solid train would be equivalent to 3½ miles long.

Q. How long would it take a vessel to be loaded? A. I provided, and I think the railroad people have checked me up, and that I am out of the way, because I am entirely too low in my calculation — I provided for two trains of eight cars, making three trains, and allowing four hours for unloading.

By Commissioner Ainsworth:

Q. For unloading a train? A. Yes, for unloading those cars. That would take me five days of 24 hours continual day and night work, for 40 per cent of the cargo that went on those two ships, no provision being made for switching. The cars would have to be on the spot. The cargo that went into hatch No. 1 would have to be opposite hatch No. 1, and the cargo that belonged to hatch No. 5, would have to belong to hatch No. 5; but you could not operate that way. You would have the heavy goods at one end of the pier and the light goods at the other end of the pier, and there would be confusion, because the cars would not come in the way you wanted them. They would not be consigned the same way that is, they would not be consigned properly. They could not

There would be an Erie car here, and a Pennsylvania car here, There would be an Erie car here, and a Pennsylvania here, and a New York Central there, and it would simply be intolerable.

There is actual demonstration, gentlemen. I am not trying to give you any fancy ideas, because I do not deal with those, but I only want practical facts. Now, what is the result? If that ship loaded according to the usual loading hours, it would represent 11 days or more, because I am allowing there 12 hours a day, and that, you know, is not really the time. The result would be that those two ships would have been over two weeks loading. They were loaded by the present method adopted by the carfloats coming alongside, and the tracks bringing the goods — mind you, this made no provision for trucking either. It would be choked on our piers with the stuff that comes off the ships, and this easily comes off the upper deck, and vice versa. That ship was loaded in $4\frac{1}{2}$ days by the present method. Now, that is about the best illustration I can give you as to the difficulty of handling.

By Commissioner Stoddard:

Q. The present method being lighters and trucks? A. Lighters and trucks.

By Commissioner Ainsworth:

Q. Then I understand, Mr. Smith, that your theory is that a terminal road bringing this freight to these piers, either by tunnel or a bridge across the river, would not be of assistance to the commerce of the port? A. It would not be of assistance to the particular commerce that we have on the Hudson River waterfront. Of course, it would be of assistance in some respects, but it would not solve the problem. There would still have to be a very large amount of cargo floated to the ships.

Q. Is it your judgment that the present method of lightering is preferable to a tunnel, leaving aside the cost? A. Well, for reasons I have just stated, there are 2,000 cars that would have to operate a day, in this particular territory, a stretch of about $5\frac{1}{2}$ miles.

Mr. R. C. Harrison. — About that.

The Witness. — (Continuing) About $5\frac{1}{2}$ miles, and I have seen too much of this railroad operation. I believe for the moment

that you could handle in 24 hours, 2,000 cars through a tunnel, no matter how perfect the tunnel was and no matter how level you brought the cars, that is, to whatever level you brought it, with an elevated railroad or a subway, that you could operate 2,000 cars on this little stretch of waterfront that we have here on Manhattan Island. It is a matter of physical operation. On that point I should much prefer operating men to give you the actual difficulties, but, as I have told you, and I have gone over this matter very carefully, having started in the early 70's, in business, and I have been connected more or less with commerce all the time — I do not believe the enormous big cars of ours, the big freight cars that we handle to great advantage for pier loading, for approach to stations, or to particular industries down the waterfront, by a slow moving process, not as it is now on the street, and by having proper trackways, where the cars can go in; and you can stop a car here and there and everything — then I say yes, there is a very great advantage in operating from an elevated railroad.

By Commissioned Ainsworth:

Q. That is to industries? A. To distribute the cars to the various industries.

Q. But that would not apply to the trans-shipping? A. No, sir, but I have given you this information because you say that is only one pier. Now, there are nine piers, and if that was duplicated, you see what confusion there would be. How could you get those cars in and out of those piers, and drill them, if you converted everything from 7th Avenue to the waterfront into a yard, like you have over in New Jersey, why, of course you can do that, and if you can have your yard handy; but, imagine a ship loading a lot of goods, and having them over here, on some of these Jersey yards, and if they wanted them they could not get them. The lighter is flexible. These goods are brought down and put in lighters, and they are brought alongside the ship, they are whipped into the ship, and the ship goes off.

By Commissioner Rounds:

Q. Assuming we have some kind of a terminal railway for joint use of some kind, would such a railway have any relation at all

to the dock system; is there any more logic in having that marginal railway or marginal way, than two or three blocks back, or is there some relation with the dock system? A. No; the New York Central solution here, or rather the New York Central plan for going through private right-of-way, and keeping them off the waterfront, was a plan that we absolutely insisted upon, because we did want to keep the waterfront open for any future development of the port, and in my humble opinion it is the ideal way of solving the access of the New York Central into their down town stations, which is to keep them removed from the waterfront.

Q. Assuming we have a joint marginal railway, will it be any advantage to have that near the docks; will there be any connection at all between the docks and that marginal railway? A. No, I do not think there will, for the reasons I have stated — the impossibility of operating cars on the piers.

Q. So the dock system will be quite independent of the marginal way? A. I had a solution in a way that I worked out and made studies of it and some engineering plans, but it was not perfected, which was to have an elevated road, in other words — it was really an elevated road fairly close to the piers themselves, keeping them away from off the highway on the West Side, having the cars run over that, and the under part made of the pier bulkheads; and there might have been sidings where some cars could have been stopped there, and goods delivered below and held there between the piers, between the pier entrances, so that it would simply take away part of the present marginal way. But I believe it is possible to work out, but that is simply to reach — and then they will turn in there and cross into warehouses. There is a large building going up that you ought to be able to see, right near the National Biscuit Company; that is on the block below, that is built at 16th street.

By Commissioner Miller:

Q. Merchants? A. Yes.

By Commissioner Ainsworth:

Q. I take it from your long experience that your thought is that we will best serve the people if we keep our windows open towards Jerusalem, and confine our thoughts to the settlement of

the West Side problem. A. I believe that is going to be the situation in New York, and I want to say to you gentlemen we are going backwards in our waterfront situation here.

We are losing our business. If this plan of 1913, or even a modified plan had been settled, certain piers and big warehouses that are now in Jersey, and have been erected within the last three years would not be there, because the negotiations we made were to keep them on the waterfront here, and our real estate is absolutely waste. We cannot dispose of any real estate on the waterfront now for any purpose, until we solve this problem. "How are you going to get access to the rails"?

By Chairman Van Benschoten:

Q. Is the demand for waterfront property for pier and warehouse property greater than can be supplied along the West Side?
A. Now, this war condition is on, Mr. Chairman, and this is the way it happens: A fellow comes along and he wants a pier on the Hudson River; in other words, he wants a 5th avenue store. He wants the Altman shop and he wants it at first avenue and because he cannot get it then, he gets very, very mad. Of course there is congestion to-day; we are able to provide berth space for every kind of job that comes in, if they would only come to headquarters and let us know in advance, but they go around in a circle, and finally land in our office and say — "We have A, B, C, and D, and they tried us by all sorts of prices." They do not come to us. Under the new leases we have permitted South Brooklyn. We have made special provision that the tenant of that pier must give any berth, if the city has a demand for the berth there, provided he has not occupied or is not occupying the pier for his own business.

Q. Well, what I have in mind particularly would be some demand. Now, for instance, I heard the statement made that all the export trade, or rather this way — that there should be none of our great export trade go from the West Side of Manhattan, that should be taken over to Jersey, because there was a demand great enough for the West Side of Manhattan waterfront, to take care of just the freight which would be absorbed in Manhattan and the Bronx, we might say, in addition, and that, for instance, the West Shore and the Jersey roads and any freight w

develops in that way, which goes entirely abroad — that the ideal development of the port is that the exports should all be from the Jersey side over there, and that that would not hurt Manhattan, because there was so great a demand for waterfront piers and bulkheads, and that is what promoted my question, and I was interested in knowing whether that is so or not. A. It is not so, and that is the argument that our Jersey friends are trying to bring there, and even where parties — I am sorry to say — where parties even would delay on this particular West Side plan.

Q. Now, right there, you have reason to believe, then, some of the opposition to the 1916 plan may have developed from the New Jersey roads? A. I know it; I won't say the New Jersey road — the New Jersey interests.

Q. The New Jersey interests? A. I do not think the roads — I know that some of them wanted the matter settled, so as to know how to adapt themselves, just as I said about the Lehigh Valley. The Lehigh Valley will adapt itself to any conditions, and they are adapting themselves now, because they have waited so long that they are not going to wait any longer.

Q. When you say the opposition by certain New Jersey interests based on the proposition that the longer the delay is here in making the impossible, the more apt they are to get these improvements themselves. A. They get them.

Q. They got some of them, yes. A. And many more. There are millions of dollars being spent in Jersey now, of course we could not expect to get it all ourselves.

By Commissioner Stoddard:

Q. Mr. Smith, on this very valuable waterfront here, which you call the 5th Avenue situation, was it a wise policy for the city to have asked of its wharves to take up lighterage — I do not know what you call them, where the lighters come in — A. You mean the railroad piers?

Q. The railroad pier water stations. A. It is our life if we do not provide for them what are we going to do, and how are we going to get our daily supplies.

Q. That is the point — whether we could take them over the river and put them on the elevated and distribute them that way, would not that be a better policy for the traffic that is destined

for New York? A. It is a very peculiar island, you know, and there are lots of people come over and tell us you ought to do as they did in Hamburg and Amsterdam, and I said, Well, there is only one New York.

Q. Yes, I realize that. A. It is a wonderful harbor and this is a wonderful situation here. I know your point, and it has been discussed several times.

Q. If we could give those piers to the coastwise and trans-Atlantic steamers, would it not be a better thing for the city? A. Well, they have them now — coastwise.

Q. No; the places that the railroads occupy for the purpose of taking their cars up from the lighters. A. Well, Mr. Stoddard, of course in normal times, certain lines cannot afford to occupy certain classes of piers. They cannot afford to pay the rental; it is practically their terminal charge.

By Chairman Van Benschoten:

Q. Railroads can afford to pay larger rentals? A. Railroads have been able to pay larger rentals, yes, but the matter will regulate itself and take care of itself. The improvements will be made by railroads themselves. For instance, you take the improvements down in South Brooklyn, the enormous development down there. You will see that even today filled right up and there is greater demand for more space.

By Commissioner Stoddard:

Q. For ships? A. Yes, for pier space, and yet there are piers that are not being used to their full capacity.

Q. What I have in mind is that we all have an expectation, probably a hope, that after this war is over, the foreign commerce of this port will be greatly increased, the number of ships coming here from all parts of the world will be much greater. Now, if we have not dock space in here (indicating) — not sufficient dock space — or if our dock space in the yards for our railroad floats, if you call them that, whatever the term is, it could be diverted to the other use, to the berthing of vessels — would it not be a better plan for the city, to have those railroads come over instead of lightering over; go over under the river and get on a truck here and join with the New York Central in the opera-

tion of that; you would relieve the waterfront and get the traffic into the city — get the freight into the city, and relieve the waterfront. You would make an opportunity for this increased ocean traffic that we hope to have. As it is now, all of our facilities are exhausted on the West Side, practically. A. Well, we have improved north of that, and there is quite an improvement going on.

Q. Yes, a very wide improvement. A. But you see, Mr. Stoddard, here is the situation, you have 500 feet of bulkhead, and you have three piers of the Pennsylvania railroad, and they are, as I say, going into that particular section with hundreds of tons of freight every day, within that space of 550 feet.

Q. Yes. A. Operating, we will say, 500 cars per day. Where are you going to put those 500 cars if you put them into a terminal; where are you going to put them? That is the question. You cannot handle them. It is impossible. These cars — the freight from those cars is being transferred to the piers, and they are receiving the goods, and they are going out.

Q. Of course, if we had various warehouses along the terminal road, they would not have to be centered. Those 400 cars at any one point as they are, they could be distributed at many yards. A. Yes; but the people themselves, you know, the one great trouble here also is that the people of this town have got into their heads this thing, and you have got to educate those people some time. Nobody will shift to these railroads until late in the afternoon. Everything is done in two or three hours in the morning and evening.

Q. That is one of the difficulties, is it? A. That is the difficulty of congestion.

Q. We are all creatures of habit, and these habits have grown up to be very costly, not only in this matter, but in many others. A. Yes.

Q. And now, cannot we get away from that habit in the interest of economy, in the interest of efficiency and in the interest of the city generally; cannot we get away from that instead of concentrating everything at these three piers, 400 cars say, a day, distribute them in such a way; as, for instance, this marginal way would not only be on the waterfront there, but it might be

possible to take that over across the city, not as elevated, a subway, say, and have another here, another system here. Could not operate on the subway, Mr. Stoddard.

Q. I do not know what the engineers say. This is just a if you want to put it that way, to have it in mind — that you have some sort of belt line and distribution of those 400 cars both sides of the city into various warehouses; is that possible? My whole point is that the handling of those enormous cars,—and I think eventually the solution will be some kind of vehicle that will reach the point — but to put them in subways and pull them into their different stations, on elevated roads, and pull them into their different stations in enormous quantities — that is where the difficulty comes without a yard to back it; but, as I say, if you will just give me a moment, you take the New York Central plan right down to 60th street, to their yard, and from there to 30th street, practically their terminal; now, the people of New York need that facility today. They have required it for years past. It has really been a crime to our community that this thing has not been settled long ago. The railroad is not getting any money for it. They cannot get a penny more. All they can do is give the people proper service, the best service that can be given, and in doing so the other roads would naturally follow, to give the same kind of service. Today some of them — perhaps some are unfortunate — I do not believe so, in a general way, but I believe they all want to do the right thing; they are hampered. As I say, the New York Central, with that settlement made down to 30th street, if they did not want to go any further, would be of enormous value to our town.

By Commissioner Stoddard:

Q. Mr. Smith, you agree that there is a very costly congestion on the West Side, traffic congestion; you will agree to that? Will you not, on West street? A. There is congestion there.

Q. That is very costly to every merchant in the City of New York? A. The delays in getting in and out of the piers, yes.

Q. And that, on the present system, it is impossible to do away with those delays to any considerable extent? A. Oh, yes, there are plenty of opportunities.

Q. Opportunities? A. Oh, there are plenty of opportunities to decrease all of this trouble.

Q. Without going into a general terminal system scheme; A. Without going into a general terminal scheme, yes, I believe so.

Q. Would you suggest some of the ways? A. Well, now, I think the solution is going to be a motor trucking situation, in a great measure, that is going to solve the problem. The approach there to these piers as I indicated to you a little while ago, on this Pennsylvania railroad, not attempting to get everything into the neck of a bottle. If it is finally determined that the pier stations must be kept, that there is no other way of doing it, that you cannot operate these cars into a unit terminal, or a joint terminal, by competent or proper authorities, after they have made careful study of the situation, because of the difficulty of handling these cars, I think we will have to finally come to improving the piers where certain piers will be consolidated into a particular kind of operating unit, and that possibly this freight will come over in carfloats in part, and some may come by motor trucks under tunnels. I do not believe the tunnel is going to solve all the problems, because unless you build a series of tunnels, you are not going to have the amount of freight that comes into this belt every 24 hours, come into one tunnel.

Q. You would not want the merchants of this city to accept their goods on the Jersey side and motor over? A. No; I am talking about railroad delivery.

Q. You think the railroads will deliver by motor? A. I do not know.

Q. Some — that is possible? A. I think some of them are doing it now, is not that so? Well, I believe so. Allowance has been made anyhow. They are making an allowance for it.

By Commissioner Ainsworth:

Q. Making an allowance for it to be picked up on the other side, and put on the ferry boat and truck and all? A. Yes.

Q. But so far as the New Jersey roads are concerned, your observation is that there are none of them like the celebrated Virgins each of whom was inquiring when the ravishing was to begin. A. It is a very difficult problem, the question of handling those cars on our marginal streets.

By Commissioner Stoddard:

Q. Someone has stated publicly that if all of the cars delivered at the various floats on the waterfront every day in New York city from Jersey, were lengthened out on one track, they would total 15 or 20 miles of track. A. That is my statement.

Q. Is that your statement? A. Yes; I have the exact record of the cars; the percentages, and everything.

Q. Would you put that in evidence, Mr. Smith?

Chairman Van Benschoten.— Yes, we ought to have that.

A. I will see if I can find that; it is near enough to call it sixteen miles.

Q. Would you object to putting that evidence in as you have it there? A. Not at all; that is based on account of the cars that came in on a given day, the date of which I cannot give you, but there may be more cars coming in now.

Q. Probably. A. We can check that up any time that you would like to have me give you the statement on that. I would be very glad to give you any of this data or send you the data that was prepared for the Jersey rate case, for any year that your Committee might desire.

Q. Then from your practical experience as a business man, engaged in shipping, and also as Dock Commissioner, and as a member of the Committee studying this West Side problem with relation to the New York Central — you are satisfied that an elevated structure, designed for joint operation by all of the railroads, terminating either on the Jersey shore or on Manhattan island, is not the solution of this problem? A. True.

Q. That is your judgment? A. That is my judgment.

Q. That it is not the solution of the problem? A. Not by joint operation.

Q. Your judgment is that the added facilities — that the way to reach a solution is to add to what we have got here on Manhattan island, and depend on some new method of distribution, such as the motor vehicle or truck? A. Well, that will, I think, be one of the coming things.

Q. Yes.

By Commissioner Ainsworth:

Q. It is to improve what we have got and take advantage of anything new? A. Yes, sir. Of course, you must understand —

I do not want you to understand that I am entirely opposed to some elevated operation on the marginal street, and that is why we kept it free. There will be cars — foreign cars, as we call them, from other roads, coming on to the island from one point or another.

Q. Yes. A. Which would be consigned to some particular warehouse, so that the monopoly would not be the sole monopoly of the New York Central, so that if the Pennsylvania railroad desired to send a car into a certain warehouse, if it would come over by tunnel, if there is a tunnel, by bridge, if there is a bridge, by floatcar, if there is a floatcar, and ramped up on to an elevated road, and by a an electrical process or operation, going into its particular warehouse or factory; but, to operate a great big terminal with cars shooting here and there for the purpose of delivering goods from all these railroads — that, to my mind, is a dream.

By Chairman Van Benschoten:

Q. You mean just having one terminal for all, one unit? A. One unit for them all, yes. They would have to be operated by some one. You cannot shoot cars into that terminal without proper operation, of course.

Q. But supposing there was this terminal railroad, extending from 60th street down to Canal street, with receiving stations or with roads having perhaps along that line, respective yards, where freight could be unloaded, and warehouses, some of them — they have some now, have they not? A. Over in Jersey.

Q. By yards, for instance, you would not need large yards; for instance, you say the Baltimore & Ohio, just a sort of receiving station? A. Receiving station, that is right.

Q. Do you think that this is not feasible? A. Oh, I believe in that — an operation similar to what I have described, with the Baltimore & Ohio.

Q. Now, that is across the line; but do you think an elevated terminal from 60th street, say down to Canal street, if the marginal way had sufficient tracks to carry the cars, if that is possible, with warehouses which would be constructed there, is feasible — a feasible proposition? A. Oh, yes.

Q. Not all to get into one center, you know. A. That is right,

any foreign car that would come into any part of the waterfront station, according to the consignments, and would be put into that particular place, it would be held over in their yards until the station was ready to receive that car.

Q. Is that right? A. And that car would either come by tunnel or bridge or float, and be ramped up into the terminal railroad.

Q. You see no objection? A. None at all. I believe in that absolutely, and that is what we reserved that for.

By Commissioner Rounds:

Q. And would that play a very large part in the work of the Jersey roads, or would only a small number of cars come up that way? A. I could not answer you that right offhand; it all depended on what you had back to receive the cars at the present time with the facilities, it would be useless. They would have no incentive in sending those cars over, and ride them on the elevated railroad, because we know we have nowhere to put them, but if they are going into the warehouse, or some freight industry or inland station, that is a different proposition, but I am talking now of the handling of the mass of material that comes over. You cannot handle it any better than you are handling it this minute, and not under the present plans.

By Commissioner Ainsworth:

Q. Mr. Smith, for some years I think it was a proposition of meeting and intercepting this freight up the Hudson river, that which is designed for export; I never happened to run across you in this discussion. What do you think of the feasibility of meeting the Barge Canal freight at Albany, as well as intercepting their West Shore and New York Central freight, which is designed for export? A. I am at work on that you know with the Barge Canal problem, on that Committee with the General, and that matter is before us.

Q. I knew that. A. There is no doubt about it, that a lot of that freight cannot be intercepted, but how far the big ships and tramp ships would go, is another question.

Q. Because of the distance up? A. No; I do not think the distance enters into the transportation. Some of these tramp ships come in and get mixed cargoes. Our difficulties you see, gentle-

men, are numerous, and therefore it is very hard to give you a full and comprehensive plan for it; but, take that ship I am referring to, that ship received goods for a trunk line road that enters the harbor of New York. You can imagine the interminable delays by delivery to the marginal railroad, into that ship.

By Chairman Van Benschoten:

Q. Then your idea would be that even if we were to have an elevated terminal to handle freight which might be intended for Manhattan, that the export freight, the best way of handling that is by the lighterage system? A. Absolutely. Now, I will give you just an instance. I am interested in a certain commodity that comes into this harbor and comes into a warehouse, and I do not mind telling you what it is, because I think Commissioner Miller knows, and that is White Rock water which we get from our district. Of course, if we had that marginal railroad, that if it came over the Baltimore & Ohio, I think it comes over the Baltimore & Ohio in bulk, that is, the major part of it, because it is destined to the particular warehouse, that warehouse receives it and it is routed over the Baltimore & Ohio, from our district, and it goes right in the cars. You cannot break bulk, and it goes into the warehouse, which is kept at a certain temperature, not a freezing temperature, and this class of goods will come that way. If that car was routed by some other road, and you had this marginal railroad, I might say, very well, send me one carload down to Chambers street, and send me another carload to 42d street warehouse, and another to the Canal street warehouse, by whatever road would route it, and in due course that car will find its way by the elevated road, by devious ways, into that particular warehouse, but, as it is to-day, we are simply selecting the railroad that has the best facilities to receive these goods.

By Commissioner Stoddard:

Q. And they all go to one point? A. All go to one point and destined to that particular station.

Q. And that increases the congestion at that particular point? A. No, no, there is no congestion about that. The only congestion is our tracks are congested by trying to get delivery of cars. When they get ready to deliver three or four or ten cases

of White Rock to the Mallory Steamship Company, or any other steamship company, they find that the amount of freight that is tried to be pushed into this pier, keeps those trucks in line there, and perhaps it takes only three to four motor trucks to do the business that one took before.

Q. The point I have in mind is, all your White Rock goes to one station now?

Commissioner Ainsworth.— He did not say that.

Q. Did not you answer that way? A. No, they are consigned to the Baltimore & Ohio station, but I said if you had an operating road, such as we have described now, and you had warehouses here and there and everywhere, for the distribution of your freight and goods and for many conveniences, and also for saving money, I would say according to the quantities that are consumed downtown, in the middle section, or upper section, I would say "Send me two cars to station so-and-so and two to station so-and-so," and so on.

By Commissioner Stoddard:

Q. That brings me back to the point, and my point was that the street congestion — I am not speaking of railroad congestion or steamship congestion,— but the congestion of vehicular traffic on the street, is increased by the fact that you now consign everything to one point, to the B. & O. station in this city. If you had a marginal way with places there and there (indicating on map), and you could route them to these different places, the trucks would go there and there, instead of three trucks to one point, as they do now. A. It so happens that there is no congestion where we send them, but the congestion occurs after we get downtown into the steamship lines.

By Chairman Van Benschoten:

Q. Well, it is getting pretty well along. A. Gentlemen, I would be very glad indeed to furnish you with any data or information that you desire.

Q. There were certain figures here that you were going to let us have. A. Yes; there was something about the bulkhead too, that you wanted to know.

Chairman Ven Benschoten.—I want to thank Mr. Smith for coming here and giving us the benefit of his views.

(Whereupon, at 5:40 p. m. the hearing was adjourned to Thursday, January 3rd, 1918, at 10:30 a. m., at the same place).

COMMISSION ON WEST SIDE IMPROVEMENT

Library, Chamber of Commerce,

January 2, 1918, 2:00 P. M.

The Chairman called the Commission to order at 2:00 P. M.

Present:

Chairman Van Benschoten,

Commissioners Beard, Stoddard, Miller, Rounds, Todd.

Judge Clark and Secretary Niles.

Chairman Van Benschoten:—I will ask Mrs. Bryan to rise and be sworn.

Mrs. Charles A. Bryan, being duly sworn, testified as follows:

Chairman Van Benschoten:—Mrs. Bryan has come here at the request of the Commission today, having been for some time, some years, very much interested in the work and ~~the~~ investigations and improvements relating to the West Side problems; and also from the viewpoint of the ladies and the home, we will receive suggestions and views which will be of value and which we did not receive from the men.

By Judge Clark:

Q. Mrs. Bryan, you live on the West Side of the city, do you not? A. Yes, sir; I live on West End avenue.

Q. And you have studied this West Side railroad problem, as it is called, for some years? A. Since 1912.

Q. Are you a member of an association or a committee formed with that particular study in view? A. Yes, sir; in 1912, when I first became interested in this problem, I was Chairman of

Parks in the Woman's Municipal League; and then the Park Protective Association, an organization of men formed to keep the Lenox Library out of Central Park, appointed me as one of their members, and when I came back, I think in 1912, I asked them to form a sub-committee to take this matter of Riverside Park up. They did. Mr. Jokashi was the Chairman, Professor Butler of Columbia, Mrs. Reading, Mr. Parsons and myself were the Committee. Later, when the 1916 plans were submitted, we felt a campaign of publicity and education would be necessary, for the reason that the people did not understand; and we organized a League for the Protection of Riverside Park, with myself as President, and we chose this one object, the protection of Riverside Park.

Q. When was the League formed? A. 1916, the spring.

Q. Before that, work in connection with the problem began in 1912, your work? A. 1912; yes.

Q. And that was before the first plan which was considered by the board of estimate, what we know now as the 1913 plan? A. It was just about the time that plan was to be submitted to the board of estimate. At that time the nuisance along Riverside had been so aggravated, that many complaints were received and I finally wrote to Mr. Mitchel, then president of the Board of Aldermen, and asked him to tell me the status. He sent me this typewritten form of agreement, which at that time had not even been printed. That was October 3, 1912, and that was the first time I knew of the agreement that was to be made between the city and the board of estimate and the New York Central Railroad Company.

Q. Was that typewritten form afterwards a part of the 1913 plan, as it was called? A. Yes, sir; it was afterwards part of the 1913 plan. It was all based on that.

Q. In your studies of the 1913 plan, did you find them objectionable? Tell us something that you found as you studied the question, beginning with the 1913 plans. A. May I just tell you, rather than answer questions, as I can more easily follow my own train of thought.

Q. If you please. I prefer you to do that. A. I saw this form of agreement which was ready, and by this I saw that the last

five miles of waterfront was to be lost to the city. There are four hundred miles of waterfront all for local business purposes, and the only stretch kept clear was this five miles of stretch at Riverside Park. It was very evident that was to be taken for commercial purposes, although it did not distinctly say so. But before that things had been happening, and taken in connection with this new plan I was sure that was the intention of the New York Central.

In 1910 Mr. Calvin Tomkins then Dock Commissioner, and Mr. Charles Stover had joined in the plan for municipal ferries at Riverside Park, one showing at 81st and one at 129th street; and I went over them and protested against the park commissioner taking part in anything against broad park provisions. In 1911 a bill was proposed to take the tracks of the New York Central. I helped to get—the New York Central helped to get that bill ready, and at the last they struck out the provision which said only the land west of the track—they wanted the land east of the track.

In 1913 a bill was introduced to repeal the law of 1894. That law made all the land east of 12th avenue, Riverside Park. It said it should be held in trust for park purposes.

Then another bill was introduced giving the board of estimate power to designate the purposes for which the land should be used. Still another bill—all in 1913—extended this land to deep water for piers and ships, presumably. Then the Velty bill, an innocent bill, would have given the sinking fund commission power to transfer land from one department to another. All of those bills and this plan were submitted for signature, so I think I was quite right in deciding Riverside Park was to be lost.

By Chairman Van Benschoten:

Q. Were any of these bills which you have stated were introduced, carried to the point of becoming a law?—if you happen to know? A. No (Consults memorandum). No; none of them became law.

Q. I understand steps were taken in opposition to them at Albany? A. Yes, sir. We sent telegrams in opposition to them. I do not know whether I have copies of them, but we opposed each one.

Q. It was just the fact that you took steps in that direction which I wish to learn. A. Yes. My little girl came to me and we moved up town to find a suitable place for such a child, and we thought West End Avenue was suitable. It was near Riverside Park, on one side, and near Central Park on the other side. It was a residential section and had been safeguarded by the laws, so we built our home there.

When I read of this plan it almost took my breath away; but it had been a precedent to yield everything to so-called "business needs" — which I think is a fetish in men's minds, that I feared the worst. I had a little girl six years old who could not walk over to Central Park, it was too far, and if she did the nervous excitement of crossing Broadway and Amsterdam avenue and 8th avenue and Columbus avenue was so great that she suffered from the strain. So the nurse was instructed to take her to Riverside Park. If that Park was done away with that girl would be restricted to playing on the streets for eight months in the year. It was the same with thousands of children. Then the children below 70th street had no nurses to go across those streets with them, and it meant that they must play in the streets in the spring, fall, and winter and also in the summer. Then I began to wonder if this were necessary. Of course this bad precedent had been established, and was the habit of mind of the male citizens, and it operated to the advantage of the New York Central. I do not think men are educated to the aesthetic and the ethical needs as women are, as they do not have to do with the bringing up of children, as women have. I think you can see that when you recall that when Central Park was built some business men paid for space in the newspapers to show how wrong it would be. I think it was Mr. Lydig and Mr. Astor who paid for space warning the citizens against it. As a matter of fact when Central Park was built it left \$17,000,000 in the treasury over and above the cost, and that was due to the greater rate of taxation made possible and the enhancement of land values in that section of the city. Then when the subway was built the women protested against the sacrifice of the trees. Trees are so absolutely necessary to the health of the people of the city, and it was appalling to some people to learn that trees have a temperature. I think it

is 56, so that when you go into the woods it is not because of the shade only that you feel cooled, but because trees are giving off that cooling temperature; and they give out moisture; but that is never considered when an apartment house wants to run its cellar under the pavement. At such times women have protested, and they were told that the business needs were such and such, and that men must provide for the food and clothing of families, and they must cheapen living and so on. That is an old familiar sound; and we have all heard it, and we heard it again then.

This New York Central matter is the same; and it is pathetic in New York city to find that the children in some districts have not the physical or the mental or the moral fibre they should have. The children cannot protest, they are dumb, their rights are ignored and they are disregarded, and woman's ideas have been brushed aside as "sentimental." They are not sentimental, they are practical ideas. Children need sunlight, grass and trees just as much as they need food and clothing; and unless New York city begins soon to correct that, it will be made very plain to people here. This military census shows that 50 per cent of our young men are unfit for military service. Remember, this is a new country and New York is comparatively a new city. I think it is the Hague in Holland which showed by recent military census that 90 per cent were fit. We are having a slum district here which follows as the city grows. Many of us have seen the slum districts in London, and we know they breed a different class of people in those slums, and we are getting slums like that in New York city. That is not necessary. Little play spaces should have been kept for those children. We find those children now fill our hospitals, afflicted with tuberculosis and with rickets; and we are constantly getting the appeals, daily, to send contributions to help those children. And the women felt it was time to make a stand somewhere, and the women decided this was an opportunity to make a stand against the practice of giving up the rights of the people for so-called "business needs." So our women made a stand.

As the city grows the railroads must grow, and also as the city grows there must be more Park space. South of 72d street there is a great freight yard. That has been there 20 years, and yet

they needed to expand, and they wanted to expand north into Park as land below was too expensive.

Well, a freight yard and a Park cannot occupy the same space at the same time, nor can a Park continue to exist if surrounded with freight yards; so it seemed to be a good thing to open the extension of that freight yard into Riverside Park, and I felt justified in it because of the history of the New York Central.

By Chairman Van Benschoten:

Q. That extension of Riverside Park occurred in the 1913 plan, particularly? A. And in the 1913 plan too. In the 1913 plan they went into the river, and the park is undeveloped land west of the tracks, and the land under water, 87 acres lies as part of Riverside Park. And if you like to look at this map (indicating) as I explain it, it might help to illustrate my statement.

Now, in 1686, Manhattan was granted to the city of New York.

Then 125 years later streets were laid out. In 1801-1802 a map was filed in which 12th avenue was continued to 36th street and 13th avenue was then planned out into the water. In 1815 12th avenue was extended to 135th street, and in 1867 to 145th street. It was to follow along the shore generally. The high water mark repeatedly crossed and re-crossed 12th avenue. That is important — the fact that 12th avenue was crossed repeatedly by high water is important. In 1846 the Hudson River Railroad Company was incorporated. That is about 70 years ago. They were told at Albany that they might bring their tracks down following generally the line of the Hudson river until they came to New York City; and there they must go west of 8th avenue wherever the corporation of the City of New York told them to go.

Immediately the city passed an ordinance, in 1847, — Mayor Brady was Mayor, and it said they must follow 12th avenue from 60th street; 11th avenue to 37th street; 10th avenue to Vesey street and so on to Canal street.

Now, there were conditions attached to that charter. They were not to obstruct the original, ordinary use of the streets, of 12th avenue. Now, can you imagine anyone driving down 12th avenue? And they were to leave to the water, free and unobstructed passage; they should build bridges over the street.

at their own expense where the Common Council said it was necessary. And they were under Legislative control.

In 1868 Riverside Park was laid out east of 12th avenue, and it was then the plan to pave streets from 59th street to 72nd street; but the next year the New York Central and the Hudson River Railroad became a corporation; and when the New York Central took over the Hudson River Railroad it assumed all its obligations as well as its privileges; and then it immediately sought to entrench itself, and since then has opposed every effort in the interest of the people. Next year the Dock Commission, or Dock Department was created and they leased that land to the New York Central, the New York Central agreeing to grade and pave all those streets, 60th, 63rd and so on to 71st street, whenever required to do so, and at their own expense.

In 1887 the New York Central had a bill passed permitting them to build a wall from 60th street to 72nd street. That was to extend to the south side of 72nd street. When the bill was made an act, they extended it to the north side of 72nd street. The Mayor of the city was going to veto that bill, and the New York Central told him not to veto it, that they would remove the wall whenever it was needed, and they would help the city get a bill through doing it. The bill was not vetoed, and the New York Central has never helped any Mayor to get a bill since, which would help the city remove that wall.

In 1894 Riverside Park was extended out into the Hudson. Some of the people with homes on the West Side feared the waterfront would be used commercially, so it was extended west into the Hudson. Immediately there was a vast increase in taxable values on the West Side, as the people believed the West Side was safeguarded. For the past ten years there have been ceaseless efforts to beat that. The New York Central has capitalized this nuisance, refusing to abate it in any way until it could get additional rights. People who do not understand say the New York Central has rights and that the people should allow them to continue to go there, and give them what they ask for. As a matter of fact, the New York Central has assumed obligations which it steadily tried to get out of. It is as if one neighbor said to another, "Yes, I am a nuisance to you, and I refuse to abate my nui-

sance unless you sell me some of your land at a price I name." And the city is in position to say, "We will sell you some land, but you will abate your nuisance anyway."

The city has tried at different times to abate these nuisances. They introduced the Saxe bill and the Brady bill, but they have all failed. The New York Central and its friends have obstructed every one of the plans.

Finally, in 1911, a bill was passed called the Enabling Bill, Chapter 777 of the Laws of 1911, which gave the Board of Estimate and Apportionment power to make an agreement with the New York Central. The New York Central was to submit plans. It did; and they were rejected. The titles to the land the New York Central claimed, the men's organization felt it would confirm a monopoly and so it was thrown out by the Board of Estimate and Apportionment. The women had been interested all of this time, but when the Board of Estimate and Apportionment had its hearings it was felt it was better for men to present the viewpoint of the opposition, as they were accustomed to speaking and to arguing. Since then I have often regretted that the women did not make their own presentation. While the arguments of the men were unanswerable, still the women heard with amazement some of their alleged views, and the New York Central did not realize the opposition and the viewpoint of the women. Consequently, in 1916, they brought in plans quite as objectionable from the viewpoint of the women as were the other plans. The public was carefully prepared at this time. The arguments that had been opposed before were rather sneered at as the arguments of uplifters; and altogether the public was in the right frame of mind to accept the agreement. When the men's organization appeared and protested, it seemed to me their objections were to be brushed aside, and this plan was to be jammed through, and so some of us decided to form this League for the Protection of Riverside Park.

This was a different plan, as it is hard to unmake the minds of the people once their minds have taken a certain set; and then in addition, this fetish of sacrificing everything to business needs, hampered a great deal. Still, we felt we could not lose Riverside Park. We felt that the New York Central was wrong and somebody had to make a stand against it. And I think it was this

ained effort to stop those plans which made them consider
ague — this is a great moral issue and nothing else. The
York Central is morally bound to keep that contract made
ong ago by the New York Central and Hudson River Rail-
just from the technical view it is illegal for them to avoid
ether they like it or not. The women went then to the
n's Clubs and they did not say, "What did the men think
it;" but as soon as they heard — and all of our speakers
careful to state facts and not beliefs — when they heard
one club after another protested to the Board of Estimate
pportionment and finally the City Federation of Women's
protested. That is a new organization; I think there are
0 women — over 10,000, if I am not mistaken. So we
nt all the women, practically all the women interested in
unity affairs and we were opposed to this New York Central

e time has come, I think, when men can stop going on from
to time and doing the expedient thing. They must think
mes and the needs of the resident districts, and of the
en; and not only of business needs. There can be no city
ut homes, and men must be within reasonable distance of
homes, and they cannot continually shift their homes from
lace to another.

a will all recall how from "private greed" and "commercial
" the homes have had to go and shift about from place to

Now, we have the limits on one side between Central park
he river, and the West Side is ideal for residence purposes.
a never be a business section. We have the Hudson river and
alisades and Morningside Heights and Cathedral Heights,
t the north there is that north steep grade, and it is accessible
the south only, and then you have the New York Central
g in as far as Tenth avenue, so it will never be a business
n. But those features which make it bad for business made
al for residence purposes, and make it a city asset, because
a park asset, and people can build homes feeling that they
ecure and become more desirable as time passes by.

verside park and Central park can be reached very easily,
remember Coney Island is a very long distance to travel, and
nk these parks, breathing places, are antidotes to suicide.

When this 1916 plan was made the women were so tired that they would have been willing to compromise and when Mr. Marks made a plan, which was excellent in most of its features, accepted it as a park for the people. But the New York Central was not willing to make any concessions without getting what it wanted.

By Chairman Van Benschoten:

Q. What was the suggestion of Mr. Marks' office? A. This was the suggestion: the tracks were to be depressed, not into a subway, but from 72d street to six to seven or ten feet along Riverside park and the freight yard below to 72d street was to be depressed a little. That was the greatest item of expense of the plan.

It called for an elevated structure — it was to be depressed so that the park could be carried out over the roofs of the tracks without changing the topography of the park.

We sent for Jen Jensen, the greatest living landscape architect whose opinion cannot be bought, and we had him come here to look the place over. And he said this plan would absolutely destroy Riverside Park.

Q. That is the 1916 plan? A. Yes, sir. I have his report here. We published that report, and the newspapers had to comment upon it, although many of them did so reluctantly. And other landscape architects had to express themselves less freely after that, as he is recognized and his opinion respected on both sides of the Atlantic.

Mr. Marks tried to have those tracks carried along. When Jen Jensen came here, we took him up the Hudson, up one side and down the other, and he studied the plans and said, in all his life he had not seen such a sweep of water, and just by luck New York City had this little spur of Palisade parks, and he said he could not conceive the mental attitude that would blast away that park and put in a freight yard. But that was their plan, and Mr. Marks tried to obviate that freight yard and yet have a plan sufficiently workable to be accepted by the New York Central. But the tracks were depressed, and that meant they could not get to the waterfront. They had what is called emergency outlets, as they called them. Each of these outlets was big enough for a car to run out. So Mr. Marks' plan was not considered.

Mr. Mitchell when he testified said that the women had no idea of expense; and that they insisted upon a tunnel to Riverside, when it would cost eight million dollars. As a matter of fact they have not given serious consideration to this tunnel plan, as far as I know. I consulted engineers, among them Mr. Donald B. McBean, who said he would be willing to take the contract for building a subway the entire length of Manhattan island for fifty million dollars; and he would build it according to his method where he used it over the Hudson, and where his work has been a success; and the women took him seriously when he said he will build it for fifty million dollars. So Mr. Mitchell's mere statement that it would cost eight million is a little exaggerated. Mr. McBean is still open to the proposition; but the New York Central doesn't want that.

Now, they talk about the seepage. Well, the subway downtown is below the level of the water, and the seepage there is a problem which engineers can well deal with. The right solution of this is to put the New York Central tracks through the tunnel along the entire length of Manhattan island, and then the property values below 59th street would increase. There is no reason why they should not be made to pay a big revenue to the city. I think most of the organizations are willing to accept an elevated structure. For Riverside, the women stand opposed to the elevated, and I think no plan can be put through that invades Riverside park, and which would prevent the proper development of that park when it becomes necessary to develop it along broad lines west of the tracks. I do not think the women will consider anything else. I think any plan that is considered must think of Riverside as a park, and as a park only, and with no ultimate use as a freight yard of the New York Central.

Q. Have you considered the proposition — I think some plan was presented along this line — of adding two tracks to the west of the present tracks? A. Making six in all?

Q. Yes. A. If there were a tunnel I see no objection to the four or six tracks, if it were a tunnel or a subway.

Q. But you believe that it must be made a tunnel? A. Absolutely.

Q. Simply for the reason that is the only way to safeguard the land west of the track? A. Yes.

Q. Now, if safeguards can be made so that could never be used for commercial purposes west of the track, do you think the tunnel would then be necessary? A. Well, I have given you a history of the attitude of the New York Central toward its obligations which it assumed back to the time it took over the Hudson River Railroad.

Q. It is not a question of the right or what may be done there that we are discussing now; we are simply trying to reach the best plan, and whether or not it is absolutely necessary to have a tunnel. You have suggested, in order to keep our beautiful Riverside park in the condition in which we always want it to be, that it is necessary to have a tunnel. A. I think if it is not a tunnel I think the people will have to organize themselves into a vigilance committee for all time.

Q. Then we are to gather that the position as to a tunnel is based almost entirely on the fact that if it is not a tunnel there will always have to be a watchdog there to prevent the New York Central from commercializing the land under water which is west of the track? A. Yes. We have seen their policy in the past.

By Commissioner Rounds:

Q. Is there any other reason in your mind why it should be a tunnel? A. If it remains where it is now and a roof is built over it, where the park lies low the track would be above the river. Mr. Kessler in the report you have, said that would be a wall plainly seen from the water. If the tracks were depressed as planned by Mr. Marks,—I went over it carefully, they stake it out so I could see—the contour of the park would be preserved. I understand they had Mr. Olmsted go over that with them. Their depression is three feet to seven feet, and whether the river would be above the track or not. If it lies above it would be plainly seen from the water and would spoil the park. It is not depressed, I think the contour of the park would be preserved. If it remains on the level where it is, the contour of the park would be spoiled.

Then there was always the danger that the wall at the waterfront would be knocked out and the waterfront used for commercial purposes. So many efforts have been made to degrade the park

that the women are not unfair in thinking that other efforts would be made if there were an opportunity.

Q. You may proceed with your original statement, Mrs. Bryan.

A. I think that is all there is to say about it. Has the ownership of the New York Central been brought out? They claim to own this land in Riverside.

Q. When Mr. Place was on the stand we went into that to some degree. A. The 12th avenue land, and the land running along that 12th avenue, was crossed by the high water mark. Now those old landowners were told they could get the land grants by making application; but many of them did not make application; consequently the land did not belong to them. When the New York Central bought this land, if the former holders had land grants, they acquired them; but if not, then they belonged to the city. Many of the places were filled-in land, and it belongs to the city. They claim them all along, and I think it would be found they do not own the land which they claim.

Q. Have you given particular consideration, Mrs. Bryan, to the Manhattanville yard question which is talked about a good deal? A. Yes, sir.

Q. How does your association and you ladies who have considered this, view that? A. We did consider that, and could not find it was a very great manufacturing section. We found it was a site of homes, and we could not see why they needed that great yard; and even if they needed it they did not need it on the waterfront with a four or five per cent grade there. Then we wondered why it was wanted by them. Just across is the Lake Shore railroad, and that would make a good marine yard. We opposed that. Their first plan, 1913, they wanted 42 or 43 tracks there; and they wanted spurs built out another 500 feet. Altogether they go out into the water 100 feet. And at their yard at 72nd street that would have gone out into the water 300 or 400 feet. In the 1916 plan they wanted 36 tracks, and 30 were left uncovered; and all that would be destroyed there for home purposes as people do not want to have an outlook on a freight yard. Freight yards and residential sections do not go together. We did not feel it was necessary for the needs of Harlem as they claimed, and so we opposed it.

I do not know whether you know about the Dyckman yard and the Hygeia Ice Company. They wanted a freight yard at Dyckman street first. The people did not feel that was necessary, so in 1916 the Hygeia Ice Company asked that they might have a great space which the New York Central had asked for its freight yard. They wanted these warehouses there. The men in this Hygeia Ice Company were mostly non-residents—one living in Mount Vernon. They wanted the privilege of filling in that little bay, and if it were a company friendly to the New York Central, when they excavated the material along Inwood Hill, it would have been so easy to dump that and fill in this place, helping the New York Central. We opposed the Hygeia Ice Company as we felt no building should go up on the waterfront unless it was necessary to the port needs, and the Hygeia Ice Company could build anywhere as well as there, and not cut off the access to the streets and spoil the park waterfront. We hope to have the park waterfront extended to Albany eventually.

Q. In connection with the Manhattanville yard, did the ladies ever consider having it between Riverside drive and Broadway?

A. Yes. We went over the ground and asked to have it put there, but we were told it could not be done. It was absolutely impossible, the engineers said.

Q. They wanted it on the waterfront? A. Yes, sir; they wanted it on the waterfront.

Q. Have you the report of Mr. Jensen? A. Yes.

Q. Can you let us have a copy of it here? A. Yes (paper produced).

Jensen report marked Commission's Exhibit No. 31.

By Commissioner Rounds:

Q. Have you considered that municipal dump near 78th street. Do you know the status of that? A. Yes, sir. I know the status of that dump very well. It was built by Dock Commissioner Smith in 1907. There was a plan calling for a pier at 78th street. I do not know whether Dock Commissioner Smith knew about that plan, but when he wanted to put his dump on park property, he built a longitudinal pier, as he could not put the dump on park property, so he wanted to abut on the park

property. After building it he found it was illegal, as it was only on paper, for this 78th street plan to go through. So he made a virtue of a necessity, and he thought the organizations on the West Side would help him change the law. We went there and had the law changed so he would not have a pier at 78th street, and then they legalized the pier on which the dump is located.

At that time he came to my house with all his plans and charts, and showed us what a beautiful thing this would be — it would only be temporary and it would add to the landscape effect. Well, you have all seen what a nuisance it is. It has tended to decrease the value of that property. When the wind blows, clouds of dust and ashes are carried over that section. It is extending down to 72d street.

By Chairman Van Benschoten:

Q. Did your investigation lead you to believe that the use to which those two streets were put could be carried on with reasonable success elsewhere? A. They should be carried on elsewhere. There should be a dump in the Sixties. In 1911, I think, an ordinance was passed, changing the Park streets, taking them from the jurisdiction of the Parks Department; and as soon as that was done these streets, West End avenue particularly, were given over to a procession of ash cars and garbage carts from morning until night; and all the trucking up there was carried on there; and it was haunted by nursemaids, perching on the steps; and the children who used to frequent West End avenue never frequent there now because of the noises and the confusion and these dirt carts that go up and down West End avenue. All the garbage from the tenements come up there because no street is open from 59th to 72d street. As a matter of fact from 42d street to 129th street very few streets are open, and yet the old charter said they would all be open.

There was an interesting thing happened one or two years ago when a sewer pipe burst in the Sixties and the New York Central refused to have their traffic obstructed while that was being repaired, and the sewage was backed into the houses. Then it was found that the water front was so full of sewage that it would not oxidize; it was at the danger point and the plan was thought of to screen the sewage out. One of the places suggested for a plant

was in Riverside Park. Naturally I was interested, and this was a picture of one of the plants (exhibiting photograph to the Commissioners). We had an engineer come up and explain what they thought of Riverside Park. Of course, the legitimate place for that is down in the Sixties, but there was no use speaking of it there as the New York Central would not permit it. The engineers did not ask the permission of the New York Central; and when I was asked why they would not permit it, I cited this case which had happened before the burst sewer in the Sixties. And so the only thing to do was to put it in Riverside park, they thought. The women objected strenuously, and it was not put through. We hope it will not be put into Riverside Park.

Now, if some arrangement could be made so that those streets could be opened — one of the good features of Mr. Marks' plan was that Riverside Park was carried down to 72d street and there branches, but part of it went down by viaduct, which went westward past the Chatsworth hotel, and west down to the New York Central yards; and so took some of the congestion from 42d street.

Now, the city loses money from the delay and the congestion. That is one thing to be considered in the solution of this problem. The restoration of Riverside Park must be considered. If we deal only with the question of reconstructing the New York Central, it will be shortsighted.

Q. It would be still, that the plans along the lines which you have referred to, would be desirable even and if the city was put to considerable expense in carrying them out that way? A. Yes, sir. If the city could finance it I think the city would be repaid in the enhanced value of the properties south from 72d street.

By Commissioner Rounds:

Q. What do you think could be done with the 77th or 78th street matter? A. I think it should be thought of now in connection with these plans, that some of the streets of the Sixties should be opened. It would be easy to carry a roadway over those tracks, and then they would have the proper height for dumping. If they carried out 66th or 67th street across the tracks, that building could be placed along the water front and they would get the drop necessary very much better at 79th street.

Q. What do you think could and should be done with the structures at 96th street? A. I do not know. Something of the sort is necessary at 96th street, but whether it would be less objectionable or not, I do not know. Conditions at present there are almost intolerable. It should not be used as an outdoor department of the street cleaning department. They should not be allowed to put their carts there and have those barges loaded with garbage and ashes there.

Q. When you speak of Mr. Marks' plan, you do not mean the Joint Committee plan of 1916? A. No, Mr. Marks' plan was a separate plan from that.

Q. Was that plan published in any way? A. The plans were. I do not know whether publicity was given to them or not; I know the engineers worked a long time on the plan. The Public Service Commission and the Board of Estimate did not see fit to adopt that plan. I think they were holding that the New York Central would not consent to any agreement, and so they made a plan which might be acceptable to the New York Central.

Q. Mr. Marks did this work when? A. Spring of 1917 and winter of 1916.

By Commissioner Miller:

Q. Was not that embodied in the Joint Committee report? A. They had another plan.

By Commissioner Stoddard:

Q. Do I understand, Mrs. Bryan, you favored to some extent at least, the Joint Conference Committee treatment of the park? A. Yes. The Public Service Commission has always had to do with railroad matters.

Q. I mean the Joint Conference Committee report recently agreed upon between the Board of Estimate and Apportionment and the Public Service Commission? A. We feel there are many features we would like eliminated, but we believe it is the best working plan they can get. The elevated structure across Manhattan Valley is objectionable, as it is in plain view of the viaduct, and ultimately the New York Central would build houses on the viaduct.

Q. More particularly between Claremont and down to 72d on Riverside Drive? A. I do not know what alterations were made. I know there were some places he suggested depressing the tracks seven feet, and in other places three feet. So many little changes have been made in that, I cannot keep in touch with them all.

By Chairman VanBenschoten:

Q. That was not a tunnel? A. No. At the north end of the park it is not important to have a tunnel as the bluff is so high it would carry them over and prevent the New York Central having access to the water.

By Commissioner Stoddard:

Q. If the New York Central and the Public Service Commission should eventually agree on a treatment of the park as substantially outlined in their recent report, you would not find serious objection to it? A. No. Of course, there must be concessions, but we would not make the strenuous opposition we have to other plans.

Chairman Van Benschoten.—The Commission desires to thank you, Mrs. Bryan, for coming in and giving us the benefit of your views; and after your extensive studies the views which you have expressed, I am sure will be of value to us. It has been an interesting viewpoint and one which we have not been able to get from the men.

John H. Lynch, being duly sworn testified as follows:

By Judge Clark:

Q. Mr. Lynch, you are President of the Terminal Warehouse Company? A. Yes, sir.

Q. And have been engaged in the warehouse business for a number of years in the city? A. Yes, sir.

Q. For how many years? A. Forty.

Q. What is the Terminal Warehouse Company? A. The Terminal Warehouse Company owns the block of ground between Eleventh avenue and Thirteenth Avenue and 27th and 28th streets, and also the block fronting on Eleventh Avenue between 27th and 28th streets.

Q. And in your business it has been your duty to study freight conditions, the delivery of freight, and terminal facilities of the various roads, the New York Central road and the New Jersey roads, has it? A. Yes, sir. It has.

Q. We would be glad to have from you your views as to the present situation, as to how it could be improved, with special reference to any joint facilities, joint as to the various railroads for handling freight and delivering it here in New York City. What do you think might advantageously be done to improve the system and make it somewhere near what New York City should have had on the west side? A. As the conditions are to-day, the waterfront is the most valuable asset the city has, commercially. The city has grown so rapidly there has been no continuous plan of development. It has jumped from Dey street to below 14th street and from there to the Chelsea section, and now it has made another jump to 46th street. The reason for that is this: The railroads have been obliged to use a great amount of the waterfront facilities. All the trunk lines terminating in New Jersey have to use them not only for east-bound, but also for west-bound freight; and the tonnage is enormous. And as the manufacturing and business zones have changed, just as the drygoods district did from Canal street to Fourth avenue and then to 23d street, there were greater demands on the railroads for nearby terminals. That has not been apportioned as economically to the railroads as it should be, and with this new federal regulation of roads, where one road can use the float bridges of another railroad, I think that will make a great difference in the congestion of the North river and the East river.

Q. The freight is brought across from the New Jersey roads, loaded in cars? A. Yes, sir; and also brought over in lighters, barges and floats.

Q. Freight brought in lighters is unloaded from the cars in New Jersey? A. Yes, sir; and loaded into lighters.

That is the most economical method of handling east-bound freight or freight going to vessels. A lighter will carry six or seven hundred tons of freight, and a car will carry about 20 tons of freight. A lighter can be shifted from one hatch of a vessel to another, whereas a car cannot. It has to be trucked along the pier or bulkhead.

Q. What becomes of the freights to be delivered in New York City? A. They have city delivery piers.

Q. Does that come in car floats or lighters? A. Some in car floats and some in lighters.

Q. Which is the more advantageous method as to the city-delivered stuff? A. Certain bulk freights, it is more advantageous to have come in cars. Package freight is often handled better on lighters.

Q. Is it true that at your section of the waterfront the railroads have car floats along many piers, tied in there for perhaps a number of blocks, with the slips almost blocked with car floats? A. In front of our place is a car float of the Lehigh Valley, on the south side of Pier 67; and on the north side is the car float of the Erie. On the north side of pier 66 is the B. & O. Both of these piers are given up to steamship purposes. The Panama Steamship Company has the pier, 67th, and I have forgotten the company having the pier below that. That is so until you get down to the big steamship piers in the Chelsea district. There, when they built those piers, they built a bulkhead and closed off the water entirely on the uptown side, so the property between 14th and 23rd streets is no longer waterfront property, on Thirteenth avenue.

By Chairman Van Benschoten:

Q. That is what is known as the Chelsea district? A. Yes, sir; there is one big improvement there now, which is going forward, but that is wholly on the idea that the New York Central projects will eventually go through.

Q. Won't you tell us just how the handling of freight is carried on at your warehouses? A. We started a good many years ago with the idea that the New York Central Railroad would be of great advantage to us because they were able to put a spur into our property, and we thought there would be enough business demanding continuous space that would arrive in carload lots where it would be desirable not to break bulk until it reached the warehouse. We found it was hard to educate the people up to that idea, as it was practically the first terminal warehouse in the city. After a while the Lehigh Valley took the pier just below us on the waterfront, and the Erie the other one; and the city

allowed them to put tracks across Thirteenth avenue into our tunnels, and we had three tracks there. We gave up this warehouse business in that block, and we used to handle a great deal of business there. Then we added the facilities we have there, and we have practically rented the twenty-four buildings.

Q. For what purposes do you rent them? A. We rent them to wholesale grocers, and to John Wanamaker.

By Commissioner Miller:

Q. For storage business? A. Yes, sir.

Q. No manufacturing? A. No manufacturing. They bring in the bulk of their stuff and they sell from samples in their stores.

By Commissioner Beard:

Q. They take it away from your place to their store, as they need it? A. No. It is sold from samples at the store and shipped to out-of-town points from our place.

Q. Do you ship over any of the railroads except those with tracks near you? A. No. They cart to the other roads.

By Commissioner Stoddard:

Q. Why should that stuff be brought to New York City?

A. This is the best distributing point.

Q. You cart it here and then cart it out again? A. Nothing is brought here that is not necessary. This is a wide area as a distributing center, it has all of Long Island.

Q. But if you sell from samples, say at Wanamakers, why does he congest New York City with goods which might as well be 500 miles away? A. I know this that the great bulk of Wanamaker business there is the furniture business, and there are certain manufacturers who make bureaus and some who make beds, and others who make dining room tables and chairs, and they come from different factories in the west and northwest country and they are assembled there.

Q. I had in mind, more particularly, print cloth. A. I do not think that is stored there. It is all shipped from the mills, the bulk of it.

By Chairman Van Benschoten:

Q. It is a sort of assembling point? A. Yes, sir. There are many things difficult to handle, electrical equipment, for example.

We have one large electrical company, and it is very important to have their products where they can take it direct from the cars into the place where they can assemble it and sent it out.

By Commissioner Stoddard:

Q. That is a legitimate purpose. A. You have to deliver it at once. If you sold something at your store this morning and you are able to deliver it in Brooklyn this afternoon you have a red mark as a storekeeper.

By Commissioner Miller:

Q. These freight cars go into the basement? A. Ground-floor level.

Q. And the goods are taken upstairs on elevators? A. Yes, sir.

By Commissioner Todd:

Q. You said something about a tunnel? A. Yes, sir. It commences at Eleventh avenue and goes to Thirteenth avenue.

Q. Then you cross at grade a service at the piers? A. We do not go to the piers.

Q. I understood you to say that the Lehigh Valley and Erie did? A. Yes.

Q. And when they arrive at your place those things are still on grade? A. Yes.

Q. There is no underground entrance to your place? A. Yes.

Q. Have you found there was a sufficient demand of this character to increase your facilities since you started? A. No. We find we had a hard struggle for 20 years, and we are now resting a little.

By Chairman Van Benschoten:

Q. Do you think your experience in your business is such as to warrant the belief that there would be a demand for large warehouse properties on the West Side? A. I think if such a scheme as the New York Central proposes, coming down on the east side of Tenth avenue, or rather the west side of Tenth avenue, I believe in a few years warehouses would be continuous the entire length, if they found the facilities they need.

Q. Do you think it would be advantageous for all the large trunk lines bringing freight to New York if they had railroad access to

your terminals? A. Yes, sir; but I do not think you could hire them to go up on an elevated. I do not think the general use of an elevated track would be at all advantageous to the Jersey trunk lines.

Q. Why not? A. Well, the cheapest transportation you can get is your water transportation.

By Commissioner Miller:

Q. Then it is a matter of economy? A. Yes, sir; and if you consider for a moment, you take a railroad company, a railroad car, an ordinary freight car is worth about a thousand dollars. Now, how long is the freight car—60 feet or 80 feet long and it is 8 or 9 feet wide. Now, in order to get 20 tons of merchandise from Jersey to some place in New York you have got to lug a car worth \$1,000 weighing more than the merchandise, lug it across the river onto these tracks, and empty it and then lug it back again. Now, one lighter, a boat, a lighter of 400 tons could take the load of 20.

By Chairman Van Benschoten:

Q. And bring it to the bulkhead? A. Yes, bring it to the bulkhead or anywhere you wanted it.

By Chairman Van Benschoten:

Q. Well, now, you get your freight on to the dock, on the bulkhead, and then you have the proposition you have to get from there somewhere? A. Yes; and you have to haul it to wherever you want it.

Q. And you do not think it is practical to have some method by which that freight can be brought into a warehouse and from there under a systematic arrangement, for cartage, wherever it may go, instead of having the freight piled on the piers and bulkheads. A. The only solution for the roads is to take the upland, the way they have done. Have an entire block of ground in that neighborhood; the Erie have an entire block.

By Commissioner Beard:

Q. Run the cars up on the upland? A. Yes.

Q. From the waterfront? A. Yes; and they should be allowed to go back a block further, to Tenth avenue.

Q. Are you familiar with the Nicholas & Goodrich plan of the unit terminals,— I believe they propose to cut off the New York Central Line I believe below 30th street, if I am not mistaken, and lighter all the goods down; you seem to think that hauling freight cars is an expensive operation; why would not that apply to the New York Central plan coming down below 30th street?

A. You could not eliminate the hauling of the freight cars entirely, but for the great bulk of the freight, the plan that I had in mind was one of our previous Dock Commissioners where he proposed to have an elevated road running down the piers, and deliver all freight at a joint terminal for all the roads; all the freight to be delivered in that way. He would have ten times as many cars, and that would be a great burden to get rid of the cars.

Q. Have you figured this out, or are you just looking at this as a practical matter from your own experience; have you attempted to figure out what it would mean in actual per ton delivery, to consignee in New York, in Manhattan; have you attempted to figure out what it would cost to bring these cars under a tunnel and bring them up on the elevated and deliver them to different points along the west shore; have you ever attempted to figure that out? A. You only have to think of that to realize what a difficult thing it would be.

Q. You mean the natural reasons apply? A. Yes.

Q. Sometimes we slip up on natural reasons. A. That is true.

Q. When we get down to actual unit figures, but this simply is your impression as a practical business man in handling freight?

A. Yes. I do not think we can have enough railroad tracks on the west side of the town below 59th street between those three avenues to take care of the actual growth and business of the city, and that plan about —

Q. If you have five or six tracks along the marginal way? A. I believe it would be a benefit to the city to have tracks on Thirteenth, Eleventh and Tenth avenues, and have those entire three blocks given up.

By Commissioner Miller:

Q. Surface tracks? A. No; given up to the character of the business requiring railroad facilities.

By Commissioner Beard:

Q. And elevated tracks perhaps? A. Elevated tracks, perhaps.

Q. Along those avenues? A. Yes.

Q. Do the New York Central need such facilities? A. They would in time, I believe. They would need one avenue at any rate, now.

Q. Would you leave the way open for the other roads to use such facilities in case they found it economic to do so? A. Yes, you might give them an invitation to join them, but I do not know whether they would accept.

Q. And leave the way open; property on that side of the city generally is not — that part of the city is not built up as it should be? A. No; that property is all dead.

Q. That property is all dead? A. It is all dead, and it is all waiting for some settled plan of a railroad terminal.

Q. Now, if we have a plan, a terminal plan, by which we could deliver freight there economically, really there would be an immense increase in value, would there not? A. Enormous increase in value.

Q. Through the increase in value, the tax which the city would receive in a year would more than pay the interest on tunnel and elevated railroad? A. I do not believe there is any doubt about it.

Q. Then it might be economical to bring freight and drag cars? A. If we look at it in a large way.

Q. And consider the returns to the city from the increased valuation? A. It might be.

Q. That that would more than offset the case of hauling heavy freight cars? A. I believe it would.

Q. It might be so; then you say that this whole matter ought to be looked at in a large way, not merely from the point of cost, the comparative cost of getting a car now by lighter, as compared with by getting it by elevator; the other factors ought to enter in?

A. If we had the track facilities there now, and had them for the last three years, I do not believe there is any section of the city that would have developed as fast as that section from 59th street to Canal street, and from Tenth avenue to the waterfront.

By Commissioner Miller:

Q. Mr. Lynch, pardon me — A. The demand for that character of building today is enormous. Everyone is waiting for just this development to go through.

Q. Suppose we started off a series of tracks down the marginal road, and then those were sufficiently used to start another one down Thirteenth avenue, and another down Twelfth, and another Eleventh avenue — that would be the character of the development you suggested, would it not? A. Yes, I should say going down Eleventh avenue, yes.

Q. So that one after another will fill up as the needs came? A. As the need came. I would keep the longitudinal tracks off of the avenue.

Q. They could be all operated in one unit, and be participated in by the different railroads? A. Yes.

Q. And the returns from those warehouses and factories would rather make up for the cost of bringing the cars over? A. We have been building up all the outside boroughs. There have been more terminal propositions in the port of New York in the last 15 years. Every time they dig a tunnel and fill in some land, they make a terminal out of it, and they build warehouses or contemplate building warehouses. They shift from one place to another, according to — just like the building of apartment houses, and before one is thoroughly developed another one starts up. We have them all the way from Gravesend bay up to Long Island City, but Manhattan Island, which is the ideal spot for it, has been absolutely neglected.

Q. In the use of such a comprehensive development, the warehouses, of course, would play an important part, and they would get some revenues? A. I do not mean the public storage warehouses; I mean the people, to handle their own commodities.

Q. There would be a return on both the taxes and the cost of handling the cars? A. Yes.

Q. In that way, the extra cost for bringing in cars, instead of lighters, can be made up if the thing was done in sufficient volume? A. I do not know why you should bring in cars much cheaper than lighters.

Q. You could not run loops down Tenth avenue, except to

carry freight to the waterfront? A. It would run in on the surface, run your cars in on the waterfront, do not lift the cars up.

Q. You think, then, that lighterage will continue to be cheaper than bringing in cars, no matter what system the cars came in on? A. Always.

By Chairman Van Benschoten:

Q. You mean that for foreign freight, both for foreign and local consumption? A. General harbor consumption.

By Commissioner Miller:

Q. What would you say if it could be brought in in cars just as cheaply as by lighter — which method would you prefer, the cost being the same? A. Well, it would depend upon the commodity. There is no advantage in taking stuff in moving a car, just for the sake of moving a car; but if the commodity — there is the matter of labor and discharging the car.

Q. Protected from the weather? A. Protected from the weather, and besides that, if a car is not discharged, and has not been discharged in the yard, but directly in the warehouse, I believe there will be a saving in the way the car is packed; it does not require crating and there is great economy.

Q. So that if the cost would be the same, you prefer the car method in most commodities? A. That is a railroad proposition. I do not know about that. I do not see how you would not have to move the car.

By Commissioner Beard:

Q. The commodities are all delivered to your warehouse in cars? A. All in cars, and some by trucks, on other roads, the owners —

By Chairman Van Benschoten:

Q. Mr. Lynch, do you think it would be advantageous to have such a plan as would permit any of the railroads to deliver or discharge as freight at any place, we will say up to 59th street?

A. You mean joint terminals on the blocks of property?

Q. You spoke a moment ago about the shifting uptown of some of our large business districts, rather required the roads to have their terminals further uptown. A. Yes.

Q. Now, would it not be better for all of the railroads to deliver their freight at any given point between Canal and 59th streets? A. I think it would.

Q. Rather than at one particular spot? A. I think it would.

Q. Now, so far as a plan which incorporated a joint terminal operation within that district, would it be as advantageous? A. Yes.

Q. And do you believe that such a plan using tracks as you have said, down some of these avenues, can be worked out? A. The joint use of those tracks by these various roads?

Q. Yes. A. Yes, sir.

Q. Now, it would be a saving if Mr. Wanamaker, as we have referred to here, could send freight from your terminal warehouse out over any line—it would save his carting to those lines which do not connect with your terminal warehouse now. A. They would save a very good portion of their rent in the cartage alone; I frankly tell you so.

Q. That is, the cartage costs them so much? A. The cartage costs them so much, and I believe they figure the cartage costs them something like \$20 a car, and I suppose we handle probably eight or ten thousand cars a year, commodities, for everybody, through that tunnel, so you can readily see what the saving is in handling the carting.

By Commissioner Rounds:

Q. The carting is how much a car? A. I suppose it would cost \$20 a car for handling a car, labor and cartage, for any commodity.

By Commissioner Beard:

Q. Do you think it desirable from the point of view of the business development of Manhattan, that so much of our waterfront should be taken up by railroad terminals? A. I think if it is done economically, so that a railroad did not have a couple of float-bridges in two slips, and used them 50 per cent of the time; now, that is so about a good many things on our waterfront.

Q. You feel that we should develop railroad terminals along the waterfront, and drive the ocean-going ships across the river? A. Well, we have got to have—the most important tonnage we

have is our railroad tonnage, and it is not necessary that the ships should discharge on Manhattan Island if they can be taken care of in Jersey just as well. Jersey is the ideal place for a steamship terminal, the Jersey shore. The only reason that —

By Chairman Van Benschoten:

Q. You refer to the export trade there, I suppose? A. Yes.

Q. Pardon me for interrupting. A. The only reason that they have not gone over there is because a great many years ago a great deal of money was spent in developing the Brooklyn shore, for an open ferry down to Erie basin, and they have served the purpose, and another development came further along, and that was a modern development, and that took care of the increase.

By Commissioner Beard:

Q. What policy do you think the city should follow; of course, the city has great power, has it not, in its control over the dock leases? A. Yes.

Q. What policy do you think the city should follow in managing its piers? Should it follow the policy of encouraging the railroad companies to develop their terminals by giving them low rentals; or should the city take advantage of the opportunity to increase its revenues by large rentals which it could get? A. They should get an adequate rental for it; that is very easy to determine, the value of the waterfront property.

Q. Well, if you got a competitor bidding — A. I do not believe in leasing bulkheads for 10 years or 20 years, with the privilege of 10 or 20 years more to an ice company or something of that kind, that uses a bulkhead for six months of the year, and have their floats in the slips for months where nobody can use them — where they cannot use these and nobody else can use them, and that was the condition here that was done many years ago.

Q. If you have competitive bidding, the great steamship companies are going to bid high for our waterfront, and they will bid against the railroads, assuming the continuance of present competitive terminals, and the city of New York faces the problem, does it not, and we face it, in trying to make some adjustment of the terminal facilities on the west side, the city of New York faces this problem: Shall we get all we can out of the waterfront, by

taking advantage of competitive bidding between the railroads and the steamship companies, or shall we deliberately use our waterfront for the development of the railroad terminals, your answer would be to use it for the development of railroad facilities — A. Not to the exclusion —

Q. Not to the exclusion — A. The steamship tonnage, there is one class, the express or passenger traffic. That should come to New York city, Manhattan Island. That is where the people want it. The big, heavy freight cars that do not carry passengers but carry large, heavy tonnage of raw materials and freight, most of it goes to the interior, to factories, and so forth — that is better taken care of on the Jersey shore than it is in New York. I say on the Jersey front, because it goes to Brooklyn, and you have your transportation across the harbor to the trunk lines again. Of course, the railroads do that now. They discharge that as part of their freight. It is the contention now between New Jersey and New York, that allowance.

By Chairman Van Benschoten:

Q. Do you feel, Mr. Lynch, that the business which would come to Manhattan alone, that is, the freight which would come here for Manhattan, is sufficient to make full use of all our facilities along the waterfront, with such development as might be made, or should there be an effort to try and hold on to and develop the handling of export traffic on Manhattan? A. You just consider for one moment and the same thing would happen here if it was properly handled. Some twenty years ago there was an old oil refinery down at South Brooklyn which was dismantled, and an enterprising young man took hold of it, and he knew nothing about the warehousing, but was feeling his way, but he realized that if he built some first class piers, some first class warehouses, and put in good railroad facilities, railroad yards back of it, to take care of the freight, that he would build up a community there, and they have now got down there some, I do not know — 15 or 20 enormous factory buildings, and enormous warehousing plants, and the finest piers there are anywhere in the country. They are doing just all the business they can possibly do. Now, there was no reason for that stuff going there at all, except they had the facilities. They built the proper piers

and warehouses and factory buildings, and they got the people down there to locate, and they could not find it anywhere else. They would have gone to the other side of the island, Coney Island, too, if they had found them there, but they could not get them anywhere else. Manhattan Island, with its ideal location, to leave the east and west side of our town, our island in the condition that it is, without making an effort to do something with it is a shame.

Q. With regard to that effort, should that effort be confined to the development of the business which belongs to Manhattan, or should it be an effort to develop export traffic? A. It should be an effort to develop your waterfront, develop your piers, and be liberal in regard to the use of your upland, the first block anyway — allow the railroads to put in their floatbridges where it was proper, and not to put it where there is not business enough for it, and to cross on a marginal street, and even as far back as the second marginal street, if necessary.

Q. Yes, but in doing that, there are two kinds of businesses: One, the freight traffic which comes to Manhattan, to be used in Manhattan, and the taking out of the manufactures of Manhattan. A. Yes.

Q. Then there comes into the port of New York this very large amount of freight traffic, which is merely passing through the Port of New York, going to Europe. A. You would not get that at all; that would not go off the water.

Q. So that in looking forward to the development of our west side problem, which is a Manhattan problem, to a great extent, is it your idea that principally in mind should be the development of that traffic which relates more particularly to Manhattan? A. That is the traffic that would develop, and that is the traffic that needs the space. The export traffic does not need it.

Q. And there is not any doubt in your mind but with proper facilities and terminals developed, that there would be all of that traffic which such developments in the Island of Manhattan could take care of? A. Yes, I suppose more than one-half of the property from 14th street, Eleventh to Thirteenth avenues, up to 33d street, I suppose more than one-half of that property is property that is either vacant or is property that is paying absolutely nothing.

By Commissioner Beard:

Q. Dead? A. Absolutely dead.

By Commissioner Rounds:

Q. Why do you say we should keep off the marginal way, that it is better the improvement should not be there? A. Well, they have spent a lot of money on that. It is a very wide street, the Dock Department, I believe, owns part of it, and the city has control of half of it, and they built that very wide, with the intention of relieving that congestion that has occurred further down the city where the marginal street was very narrow, and the railroad cars are very cumbersome things on a highway.

Q. Well, suppose it was elevated or subway, would you still feel that it should be an elevated or subway? A. That would not make any difference, I think. Of course, it would interfere with the street traffic.

Q. Say an elevated or subway might be on the marginal way, is that what you mean? A. I should think so.

Q. Which form of improvement would you think most desirable, elevated or subway, for the New York Central, say? A. Well, I should think the elevated would be better.

Q. And in that case, the spurs would run into the warehouses on the grade of the elevated? A. On the grade of the elevated, they would have to. It would have to be adopted there—

Q. And if it were — A. Then they ought to allow — it is a pretty difficult thing to turn in the middle of a block, but if the railroad comes down Tenth avenue, suppose somebody built a warehouse on 27th street, which is a pretty awkward turn to make, a spur to that warehouse — it cuts the property up pretty badly; they ought to permit people to turn on the streets, have spurs on the streets.

Q. By saying that the float plan was more economical, you did not mean, did you, that the New York Central would deliver freight better by putting things on to floats, at Spuyten Duyvil, for instance, and then put them down as other railroads do, on the waterfront? A. I do not understand that.

Q. You said, didn't you, that the plan of bringing cars over by car floats was more economical than to handle the cars along a track on the railroad? A. I said bring the freight over on lighters or car floats.

Q. Is more economical? A. Than to bring the cars over and put them on the elevated, and deliver them on the marginal street.

Q. And is it the point to deliver, after you have got them on to the elevated, or is it the point of getting them on to the elevated?

A. You have made one trip and you have brought them to the shore line, wherever it is, and if you are delivering it by lighter, why, you make for your destination, and you go to it at once, and a lighter is a unit of 200 to 600 tons, and a car is a unit of only 20 tons.

Q. Then there is a double economy in the first place, getting them across the river, and on to the elevated, which is more economical by the present method, and do you also mean that to spot them at different places on the waterfront is cheaper in lighters than it would be to haul the cars back and forth on the elevated road? A. I should think so.

Q. The logic of that might seem to be that the New York Central would do better to adopt the lighterage plan from Spuyten Duyvil, that is, cutting out the whole idea of tracking cars back and forth on the waterfront; I do not suppose you mean that, but I am only asking if you could say where the difference would lie; if I understand you, that you think it uneconomical to drag the cars back and forth on the elevated road. A. I have heard it stated that it would cost as much for the New York Central to come from their 60th street yard to St. John's park, as they would get on freight from Buffalo to New York.

Q. Is not the logic of that to see if it is better to go on lighters up the river, and adopt the same plan as the Jersey roads do?

A. That is a railroad question; I could not tell you about that.

By Commissioner Stoddard:

Q. Your warehouse offers unusual facilities, does it not, for loading and unloading trucks, and getting stuff in and out? A. The great facility there is the fact that it has three trunk lines discharging and loading directly to its door; that is the one great facility.

Q. Now, its cost you have stated here some time ago — you made an estimate of \$20 a carload to take the stuff out to get it distributed in the city here. A. I should say the average cost of cartage of a carload of merchandise would be \$20 a car.

Q. From your place? A. No, from the freight yard, or from any place, yes.

Q. So that all the truckage that is done in dray, is done in New York City, on the basis of \$20 a carload for everyone, even at the congested yards such as down here, on those Pennsylvania piers where the trucks wait four or five or six hours? A. I do not know what arrangements they make. They probably now charge them so much a day; charge them for time.

Q. That would be in addition to your \$20? A. Oh, yes; I do not know anything about carting, but they do that.

Q. So you are quite sure that \$20 per carload would be a minimum, rather than a maximum average sum? A. Well, take for instance —

Q. One way or the other, it would not be below, it would rather be higher? A. On some commodities it would be less. I happen to have in mind a carload of coffee, I think, of about 600 bags, and you would have to pay 8 cents a bag to carry that a reasonable distance.

Q. Eight cents a bag? A. Yes; that would be \$48 under present conditions; four or five years ago you might have done it for five cents a bag.

Q. What I am trying to get at is whether better facilities, and points of distribution in the city, rather than having them concentrate in any one place, would help toward lessening that rate or cost? A. Well, they have tried that. Somebody worked out a very elaborate zone system on that, and I think they are still struggling with it. As soon as they get one zone established, somebody moves, perhaps an entire trade moves and changes.

By Chairman Van Benschoten:

Q. But does not the plan of a terminal, we will say from 59th street to Canal street, with a certain number of tracks, over which tracks all the roads would have the right to operate cars, so that they could deliver to any point between Canal street and 59th street, be apt to take care of the situation as well as any other, and then if there was a shift back and forth, or change of zone at 20 streets, they could run the cars 20 streets further up? A. Sure.

Q. With receiving stations along the trackage somewhere; now, you have spoken of the very inadequate conditions which exist now. Have you any suggestions as to what you think is the best way of improvement? A. We have been going on pretty well, I think, with the Dock Department on the waterfront, and if they could speed up on that with more piers, if they could get rid of some of their poor leases they have got which have been hanging on for a good many years, it might be a good thing.

Q. How about the railroad terminal end of it? A. Maybe they are using more piers than necessary; I do not know. That can be found out. Wake them up a little bit.

By Commissioner Stoddard:

Q. Then, your contention is to improve present methods and conditions rather than go into any new? A. Yes, to make the very best use of what we have, and then develop from that.

Q. You have no objection to increasing the railroad space and freight stations along the waterfront? A. Absolutely none, if it is necessary, as long as it would contribute to the more economical handling of all commodities, the bulk of the commodities, you know, we get here, foodstuffs, and things that everyone is complaining about — complaining of the cost.

By Chairman Van Benschoten:

Q. It is a pretty good idea of having a tunnel when we get days like we have been having, to handle coal and foodstuffs? A. Yes.

By Commissioner Stoddard:

Q. And you think it is a wise policy for the city to extend its railroad facilities on the waterfront, rather than extend its opportunities to steamships coastwise, or other, to dock along the Hudson river? A. You have got a great many disadvantages on our North river waterfront in regard to docks for steamships. For instance, there is the arbitrary line drawn by the War Department, which permits piers to be only of a certain length.

Q. A thousand feet? A. Whatever it is, in the different sections and steamers are getting larger all the time, and have been for the last ten years and there are very few places, unless you dig into Manhattan Island, as we have had to do in the

Chelsea district and had to do in 46th street, where they can get proper length for the big ocean-going steamers. It is a very expensive thing. It is a good thing to do for the express freight, and passenger steamers, but for the other steamers you have to eventually send them to Jersey, you cannot help it.

Q. Is it not really the passenger and express steamers that are getting abnormally larger, nowadays a thousand feet? A. Yes; they have some very big freight steamers too, the tendency is for large ones.

Q. What I have in mind is whether it is not better since water is the cheapest roadbed you can have, why we should not pursue a policy of developing our waterfront for water transportation and take our rail transportation to some other place, if we are crowded with rails or floats, or whatever you would call them, lighters such as the Lehigh Valley has, and then, in addition to that, Mr. Lynch, you take a longitudinal street and you cross it with railroad cars very frequently when they run from the waterfront to your warehouses, and that interrupts all the north and south traffic for the time being, you take that with the B. & O. and the Lehigh Valley and the Erie — not doing it all at one time, so that they do not interrupt the flow of traffic all at once, but doing it at its own convenience, thereby interrupting traffic, and frequently north and south traffic. A. That should be restricted to certain zones; certain zones should be set aside for that sort of business.

Q. What would you do with the traffic that wanted to pass through that zone? A. There would be no occasion for its passing through that zone, if it was given up entirely to the character of business, for instance, in this warehouse —

Q. You would abandon the street, in other words? A. At that warehouse you speak of, which occupies the entire block, with a railroad freight yard on the block southward, and another railroad freight yard on the block northward, there are 1800 feet of sidewalk there, and we have very often taken a toll of the number of people who went down there, who were not directly connected with the business, and it was not one per cent.

Q. Probably not, but across the marginal way there, that would be more than one per cent there, would not there; you cross that, don't you? A. No, we do not cross that.

Q. You cross West street? A. We cross Eleventh avenue.

Q. That is the waterfront street, is it not? A. Yes.

Q. You interrupt that north and south? A. Oh, yes, you would, if you had a great deal of it you probably would.

Q. You naturally would, if you are going to extend it? A. It does not seem to interrupt us at the Erie yard or the Lehigh Valley, but does, of course, at the New York Central, where it is all given over to it, but nobody wants to go there unless they have business there; that is what the place is for.

By Chairman Van Benschoten:

Q. Are those run off one or two at a time? A. Yes; sometimes six cars in a string, or four.

Chairman Van Benschoten.—Are there any other questions that any Commissioner would like to ask Mr. Lynch?

By Commissioner Beard:

Q. Would it be possible to combine both, leave the waterfront for water development, and bring the railroad by tunnel in back of the waterfront; if it were possible to do that, would not that be the better treatment of the problem; if you could bring the railroads in by tunnel, they would come directly under the river, back from the waterfront, and are not distant — A. That waterfront is only one or two feet above high tide, above tide level, it is most of it filled-in ground. You know the city of New York has been filled in, and dug out a number of times, all along the waterfront, and you would have a great deal of difficulty, I think, putting a tunnel through there.

Q. If it were feasible from the engineering point of view, it might be desirable? A. Yes; and practically from the railroad point it might be, I do not know.

By Chairman Van Benschoten:

Q. It is different handling freight than it is handling passengers? A. Yes.

Chairman Van Benschoten.—If there are no further questions, we will not keep Mr. Lynch here any longer. I want to thank him for his coming here and giving evidence.

We will adjourn until tomorrow morning at eleven o'clock. Our sessions tomorrow will be held in the rooms of the Merchants Association, in the Woolworth building, as these room are to be occupied by the Chamber of Commerce themselves tomorrow; and tomorrow morning the witness will be Theodore P. Shonts, at eleven o'clock, and at two o'clock Mr. Underwood, president of the Erie railroad.

(Whereupon, at 4:30 o'clock p. m. an adjournment was taken to tomorrow, Thursday, January 3, 1918, at 11.00 a. m.)

WEST SIDE COMMISSION

ASSEMBLY ROOM, MERCHANTS' ASSOCIATION,

January 3, 1918, 11:00 A. M.

Parties met pursuant to adjournment.

Present:

CHAIRMAN VAN BENSCHOTEN,

COMMISSIONER BEARD,

COMMISSIONER AINSWORTH,

COMMISSIONER TODD,

COMMISSIONER STODDARD,

COMMISSIONER MILLER.

JUDGE CLARK and SECRETARY NILES.

Chairman Van Benchoten.—Mr. Shonts, will you please rise, raise your right hand and be sworn.

Theodore P. Shonts was called as a witness, and being duly sworn by the Chairman, testified as follows:

By Judge Clark:

Q. Mr. Shonts, I had in your office, with you, the other day a most interesting talk concerning this problem, and I would be very glad indeed if your testimony this morning was all along the general lines of the talk we had in your office that day. You have been studying this problem for a number of years? A. Yes.

Q. And you have some very definite ideas as to the advantages which might accrue to the city through a proper solution. Now, as to the marginal way, and as to the question of subway or elevated, and as to the joint user of terminal facilities by various railroads from New Jersey, as well as the New York Central;—will you please state how and when you began to study this problem, and in your own way tell us something as to the progress you have made? A. I want to say in the first place, that I have not studied the New York Central West Side proposition at any time. As I explained to you, Judge Clark, my study of general port questions originated with certain propositions being referred to me for reports by certain banking interests, where people had gone to them for finances, and as I got into the question from one angle and another, I finally reached the point—not that I ever thought I was an expert—but I reached the point where I had some very definite ideas on improving the general facilities of the port to do business more economically and with greater speed.

It seems to me that in view of what had been happening within the last few days, that this question of the New York Central is only an element in the larger proposition of the port, and that the first thing to do is to agree on some general terms, upon what should be done to make the port most efficient for war purposes now, and for industrial purposes after the war; and then have the New York Central scheme fit into that, rather than start with the New York Central scheme and try to make the New York port scheme fit in with the New York Central.

One of the things I have always contended for has been done now by the government. That is to say, I have always felt that as long as each individual road had its own facilities in this port, some organized in one state and subject to the laws of that State, and some subject to a local municipality here, and some to another; that it was impossible to develop a unified scheme of great efficiency. And the development of the last few weeks, when the government did in a wholesale way what the railroads for thirty years would like to have done in a retail way, has fitted in with my ideas. That is to say, that now we have actual pooling of the railroads of the nation, whereas twenty-five or thirty

year ago we tried to get pooling in each section of the country so as to overcome some of the evils of unrestricted complication, which the laws of the nation prevented them from doing.

All of that has been done away with under the condition of the war, and now it is all, and should be all, operated as one proposition, but one authoritative head, in order to get the greatest facilities out of the interests owned by these various roads before being taken over by the United States government.

If you want me to state what I did consider, I would be glad to do so, briefly.

Q. We would be glad to have you do so, Mr. Shonts. A. My ideas were based on what has been done in various western cities, in Chicago, Kansas City, St. Louis and others, where to a lesser extent than here, we had the problems which you have in New York.

Q. You had some personal relation to some of those? A. Yes, sir, I was an officer of some of the roads in interest.

Q. Before we get through with you, we would like a statement of those interests, Mr. Shonts, with which you have been connected. A. I have been a steam railroad man all of my life, and I have built and operated railroads in Michigan, Iowa, Ohio, Illinois, South Dakota, Montana — before I got full of duties here, I was operating in all of those states at one time. So I feel that I am acquainted with the situation. We covered Chicago, Toledo, Detroit, St. Louis, Kansas City, Minneapolis, and other important cities in that territory.

Q. As such railroad man, you were connected with through lines? A. With through lines.

Q. So your views of terminal facilities are the views of a railroad man connected with through traffic, and not a mere terminal railroad man? A. Yes. I was president of the Chicago & Alton, the Minneapolis & St. Louis, Clover Leaf, and railroads of that size and importance. However, my best work grew out of the Indiana, Illinois & Iowa railroad, which I built — a road which I should say should never have been built. In Indiana, a part of the line ran through a swamp, the chief products of which were frogs and ducks, although the frogs were not as numerous as the owners of the land first thought they were. In Illinois, I

think you could have stood on the right-of-way and thrown a rock into the right-of-way of some other fellow's railway alongside. As I found it, it was only partially built, and we had great trouble to earn enough to pay for the coal and the grease.

Well, we had in Chicago a belt line and they built the Elliot, Joliet & Easton, which was the outer belt line. I discovered that I had to get some other method for getting transportation from the other lines; and so I developed the "outest" belt line — they had the outer belt line and I had developed the "outest." And I think I was the first to get the Eastern Trunk Lines and the Central Trunk Lines to join in through freight schedules. By that method, I kept an enormous tonnage out of Chicago, which paid in net money much more to these railroads. I established 100 per cent, and they gave me a little slice to Kankakee. The eastern tariffs commenced there, the same as at Chicago, and I got a little whack out of them. The two slices paid us well, but it cost then less than taking them into and through Chicago.

I did such a good job out there, that afterwards when I operated other lines and tried to get some of the business, I was unable to get it. So I spent 10 to 12 years of my life there, from that standpoint of studying terminals and cities; and that was my chief study because I had to produce argument to show trunk lines that my scheme would save them money. It was dollars and cents, and I had not a thing worth a cent unless I had a new idea, and that worked so well, it is still working out there; and I have tried very hard to bust it up, but I cannot do so. So, it was this smaller road which qualified me, if I am at all qualified, to speak on this subject, rather than it was any experience with individual roads terminating in large cities.

By Chairman Van Benschoten:

Q. You have a remarkable record. You did have some connection with the Panama canal, too Mr. Shonts? A. Yes, sir.

Q. Will you state in a way what that was? A. After the French conceived the Panama canal and De Lessups had busted the French peasantry by his first failure, they arrested one of the contractors in France and demonstrated his thievery, and they arrested then the other contractors, and said to them "We will assess you so much or send you all to jail." So they were assessed,

and the second adventure was made by the French government after the calamitous first failure. They kept the second one going with the idea of selling out, and they did sell out to the United States government; and while many people think we did not get value received in that deal, I think we did. The French had done a great deal of work and when you think of the lack of funds which hampered them, and the tools they had at that time, and the sanitary work which they had to do, the government made a very good investment, even from the dollar-and-cents standpoint.

I want to say after we got a Commission of our own, the individual members of it were as big men as there were in this country and I do not want to make invidious comparisons, but it would be difficult to get a better lot of individual men. Their trouble was lack of dynamic force in the body. If some fellow wanted a lead pencil, they all seven of them had to sit in solemn conclave to determine whether that pencil should be delivered in a red cover, a blue cover, or a black cover. So, when Mr. Roosevelt looked around for someone to relieve them, Mr. Roosevelt thought of me. We did not have many Americans at Nicaragua, and the chief engineer there had taken a casket down there with him, when it was suggested that we take that route, and he said when he died he did not want his juice flowing back and forth, and he had a specially prepared casket; you can see that did not give a very stimulating effect. So that was the proposition President Roosevelt offered to me, and with my usual modesty — Senator Hale was there and Uncle Joseph Cannon, and I, we were on the Dolphin when I got this message at Guantanamo. Nobody wanted me to do it, as I knew nothing about politics, and I know less about them now. So when I met the President, he said "So you have come to take that job?" I said "You won't want me after you hear me." I said, "You have good men there, but they lack a head, a boss. There are seven heads; and I would not touch this job unless I was absolutely unrestricted as to men and measures. I would take no instruction from anybody but you, and I would not want you to give me any about men and measures, as I would discuss them first."

I was so green as not to know that the distinguished gentlemen then sitting in the next room were reporters. I thought they were

statesmen. And he called them all in and said to them "Gentlemen, I want to introduce to you the new boss of the Panama canal. This is Czar Shonts" he said. I lived up to that title, and if I had not, it would not have been built; and we stamped out yellow fever there in four months; never had one case there after four months, and even that one was encouraged to go in there and see what would happen; but it did not spread. We solved the housing and food problems; the food problem, which was the most difficult of all; then the labor problem which was also difficult. We designed and had built all the machinery. We built our seven grades on the slopes of the cut; we built our yards for forwarding waste. We built 248 miles of railroad in the various sections there, and we double-tracked the railroad; we built ships and put in refrigerating plants. We hired 93 to 97 per cent. of all the labor that was ever hired, and we had the cars built and the cars loaded, and the engine attached for a little railroad, and we pulled it over the first division of it, and after that was done we got off and said anybody who could pull a throttle and run cars around could run it in the next division.

Q. What is your present connection, with our subway? A. I am the President of the Interborough Rapid Transit Company, operating elevated and subway lines.

By Commissioner Miller:

Q. How many miles are there of lines, Mr. Shonts? A. I will fail in the figures a little.

Q. There are over 200 miles? A. Altogether over 300 miles. It is the present elevated and the subway system; and the Interborough portion of the new subway lines will be an increase of over 100 per cent. of the existing lines. And there is substantially 50 per cent. of the trackage of the elevated. I am also President of the New York Railways, operating the surface lines in Manhattan and the Bronx. That is the green cars.

By Judge Clark:

Q. When I interrupted you, you were about to say something as to the time when you took up this terminal problem and had correspondence with certain other gentlemen, engineers or financiers, and I would be glad if you would develop that. A. I took

this subject up at that time in the light of the then existing conditions, and the light of my experience in the West, and it seemed to me that the various railroad systems terminating in Jersey here, if they would pool their properties and create a new organization, and each take an interest in the new organization on the appraised value of their properties, and then build the proper connecting lines to join each with the other, and then develop a clearance yard, which was a great development in the West, so that each railroad instead of having a large number of locomotives running all over the country, would have a common clearance yard which would take a full train into this yard and unhitch the engine and car and the caboose, and then take up a new full train having been switched by the operating company, and the economies in power and coal and wages would be very great, as demonstrated in the West. Some of those economies were as high as 50 and 70 per cent. of the previous cost of exchanging traffic between trunk lines.

Then, having made provision for the most economical exchange of the traffic between the various systems, the next question was what would be the best way to bring the manufacturers and wholesalers of Manhattan and Brooklyn in touch with the various roads, and my next thought was to take the West Side of this city for instance, and by careful statistics ascertain the tonnage in each zone, and at each central point in each zone establish a great warehouse terminal. And from this central yard go into this zone with a subway under the river.

By Chairman Van Benschoten:

Q. Your idea was to have this central yard not in Manhattan?
A. No. It should be out on the Jersey flats. That would take the care of all the lines terminating there. Then we had the Brewster cut-off, which went across the river beyond Nyack, what is called the "Pope's Nose." It would save all of this originating in New Jersey; instead of it being hauled back over the Poughkeepsie route, it would go over 72 miles, and it fluctuates, 80 to 90 on an average. You did not move two ways, but you went from your point of origin to destination by one line. And that kept the tonnage off rails that should not be on those rails.

The idea of the cut-off was incidental only, and was meant to apply only to that territory, locally; and all we wanted to go through into this Jersey district, rather than by way of the outside lines, it went over the Poughkeepsie bridge. Then back of the battery of tunnels the question arose as to the bridge across the Hudson river, and that was submitted to me, and I will read a letter from Barclay Parsons on that feature.

As I remember the lowest estimate on that bridge was forty-two million dollars, and at that time the figures were gotten to build the tubes under the river, and they were about six million dollars. I suppose those figures now would be greatly increased for both the bridge and the tunnels.

By Chairman Van Benschoten:

Q. When was this that you gave this your particular study?

A. This letter from Mr. Parsons was written in April, 1913. I think I made those studies in 1910, 1911 and 1912, along in there. So that the estimate then would be too low for present conditions, but each of them would increase in about the same proportion, I suppose. So I consider you could build seven tunnels for one bridge, and you could distribute the tunnels to fit your growth of traffic, whereas you could not do that with the bridge.

My idea then was — this was before the marginal way had percolated into my mind — I was thinking of taking Tenth avenue or Eleventh avenue and putting a subway under that street, bringing this battery of tunnels under the river and distributing north and south; and then in order to save trucking across the city, carry as many as the traffic required across the city, and repeat the dose on the East side. Then go under the East river and join with the Belt line into Brooklyn and Queens, which I regard as the greatest industrial territory of this city. You can build there indefinitely. My notion about this was that it had the advantage of simplicity, of economy of movement, of adding to it only as the traffic required. It did not require very much delivery to do the business to justify it, and I thought it would accomplish these things:

First.—The economy which I have spoken of in exchanging traffic between the New Jersey trunk lines and into New England.

Second.—By bringing this traffic into Manhattan and establishing one central station or depot in each traffic zone, and taking the freight for that zone to that station and unloading it, all the wholesalers and manufacturers and shippers then, in place of being compelled to keep a large fleet of motor trucks running around just as the railroads ran, with an engine and two cars, all over the city, each man in each zone would take his motor truck and load it to its capacity, and take it to the station and unload it there, and then reload with other goods and take that back to his store. The economies thus effected to that man would be that each shipper would have in his house every railroad in New York. This was to give a free depot in each zone, and the shortest and most direct haul to reaching all roads.

I am told there were 19,000 trucks at that time in this city. Now, think of taking the great bulk of those off from the vehicular traffic of the city; and consider the economies the wholesalers and the manufacturers would secure under those conditions.

Then do the same thing on the East Side, and that would save the trucking back and forth across the crosstown streets, which are already congested, as you know. That, I thought, would be a very great relief.

Then by developing your large piers, you would release a great portion of your deep water front, now cluttered up with these barges and these floats, and you would release them for deep-going freight. And you would take from it the unnecessary freight now utilizing it. And to that extent you relieve the waters of your river from that large tonnage.

The railroads do some of that with their tugs and their barges and engines. They take a tug and a barge and they go to some steamship line or railroad, and if they can get in, they leave those; and if they cannot get in, they will beat about for hours, or days, sometimes and sometimes they must take it back. It is all archaic, and on the plan of "By Guess and By God."

Then, having taken care of the local tonnage in the way I have indicated, my thought was to establish a great export and import station. Eighty per cent. of all of the export and import goods to the west and southwest, that will make it less than 20 per cent. which goes to New York and to New England. There is no necessity for those other 80 per cent. touching Manhattan island.

My scheme contemplated the establishment of a great export and import terminal, reaching all railroads in the same way as the clearance yards. The other 20 per cent. will have to be here. There will always be something of that kind; this won't clear the houses entirely, but the idea was that the high spots would be reached, and gradually we would clear up things as matters developed.

This is in rough outline what I talked about and wrote about. And in this connection, if you would like, I submit one of my reports to the bankers, and a letter from Mr. Stevens, whom I regard as one of the ablest engineers in the country.

By Chairman Van Benschoten:

Q. Mr. John F. Stevens? A. Yes, sir. He was my chief engineer. I took him to Panama with me and I know of his ability and his resourcefulness. I will read this:

NEW YORK CITY, *April* 28, 1913.

Mr. T. P. SHONTS, President,
Interborough, Metropolitan Co.,
No. 165 Broadway, City.

Dear Sir.—I have been much interested in reading your suggestions as to the terminal freight situation in and around the Port of New York, as embodied in your letter of 16th to Mr. H. P. Davison. I have given this subject considerable thought, and the one thing which has been borne in upon my mind, is that of wonder that New York has attained such a marvelous growth as it has, considering the absolutely archaic and expensive methods of handling freight, which has prevailed for so many years, and the increasing handicap which is resulting from the constant development of its trade and industries. Unless artificially stimulated traffic, like water moves along the line of least resistance, and such artificial stimulation of traffic simply spells unnecessary costs and in the end fails, because the old natural law will prevail. I have no doubt but that the terminal cost of handling a ton of "all rail" or of "water and rail" freight at this port is as much as it is to move the same ton 300 miles on any of our trunk lines of railway.

To what extent such conditions have built up Philadelphia, Baltimore and Norfolk, at the expense of New York, can only be

surmised, but there is no doubt but what they have been a large factor.

In reply to your request for criticisms and comments upon your letter referred to, I will say I am in hearty concord (for the sufficient reasons you have so clearly stated) with your conclusion that a tunnel or tunnels will be of much greater value in every way than a bridge across the Hudson river; in fact, I consider that a bridge at 57th street would be of little or no value and that its construction, for freight purposes, would be a gigantic mistake from every standpoint.

My study of the situation leads me to one conclusion: That freight cars coming to or departing over the New Jersey roads should be assembled at one or more common yards, on the Jersey meadows and thence be sent back and forth to and from Manhattan through tunnels under the river, and distributed along West street, throughout the district lying between, say Cortlandt and 34th streets. I agree entirely with your conclusions as to the proper distribution of such traffic, but would suggest, for the time at least, one tunnel near Canal and one near 33rd street.

West street, with its marginal way, to be utilized as a right of way, so to speak, for tracks to serve freight stations to be located at as many and at such points as a detailed study might prove to be best needed to meet the situation.

Now there are just three levels on which such tracks can be laid,—above the surface (elevated), on the surface, and under the surface (subway). It is said that public opinion will never permit either of the two former; if so, any discussion of them will be a waste of words. However, I think now, that as far as the business of the West Side of the Island is concerned, that tracks laid on the surface, with the vehicular roadway carried above, would prove the best plan. The greatest physical objection to this plan, being the one that all docks would have to be made two story, to provide access for teams. West street, with its marginal way, would provide a freight terminal several miles in length, of ample width, and would possess economic features, which would not be duplicated in any large city in the world. The tremendous cost of real estate would be eliminated, thus reducing the fixed charges to the lowest possible amount. The

cost of elevating the vehicular roadway would be relatively small. All freight would be handled at the surface and hoisting or lowering, by means of inclines or elevators, would be necessary, and cars would be subject to the least possible detention.

With the surface plan not available, I believe the subway to be the solution; such a subway to be provided with four through tracks, arranged in pairs, with a substantial partition wall between them, to obviate the danger of a block by a wreck. Such subway to be widened for the necessary tracks at stations, such stations to be located along the east side of West street. Stations to be made one story above ground and provided with elevators of capacity of four cars, if practicable. Incoming freight to be handled at surface level and outgoing on subway level. Station buildings could be run up half a dozen floors, if necessary, and space rented for warehouse purposes.

There are many details which can be worked out, but which I cannot now touch upon. I can only mention the general scheme.

Your idea of one or more "cross town" subways, and a subway line along the east side of the Island, is a good one. It would with its stations, simply be an amplification of the West street proposition. Similarly the system could be extended under and across the East river and Brooklyn served the same way.

Two double-track tunnels under the Hudson, connected by West street tracks, making connection with all the railways by means of joint yard or yards back of Jersey City and Hoboken, would provide a system of transportation of great flexibility, of enormous capacity and one that properly financed, constructed and operated, would, I believe, cut the cost of handling freight squarely in half, to say the least, as compared with the present practice. But any and all such propositions will require the cooperation of the railroads and the public alike. Such a system should be owned and operated by a Terminal Company, acting for all the railways.

The reasons you give for preferring the tunnel to bridge, cover the case admirably, and I can add nothing to them. You are exactly right. One very strong reason in favor of the tunnels is that it or they can be built much quicker, years, than can a bridge, and thus relief be had much earlier.

Besides the financial aspect, the one of operation must be closely studied, always bearing in mind that to avoid expense, delays and congestion, in other words to obtain the best operating results, we must avoid breaking bulk, transferring and delay to cars. The average movement of a freight car in the United States is not over 25 miles per day. If we could add five miles to this, we would without any increase in capital cost, add 20 per cent. to the entire freight equipment of the country.

It will be noted that an extension of the subway system across the East river would also provide not only for physical connection, between the New Jersey lines and the Long Island railway, but would also, through the New York Connecting Railway, now under construction, afford direct connection with these lines and all of the New England lines.

Yours truly,

JNO. F. STEVENS.

(Witness continuing).—I have taken the liberty of reading this as Mr. Stevens is abroad, but I have great regard for his views, not because he has agreed with me, but because of his known capacity; and I am sure he will not object to me handing this in.

Chairman Van Benschoten.—It is very interesting, and I am glad we had the privilege of hearing it.

The Witness.—I sent a similar letter to Mr. Wm. Barclay Parsons, now in France, and this is his reply—it is dated April 28th, 1913, and is as follows:

BARCLAY, PARSONS & KLAPP

60 WALL STREET, NEW YORK.

April 28, 1913.

Mr. T. P. SHONTS,

165 Broadway, New York.

My dear Mr. Shonts.—I have read over your letter to Mr. Davidson and agree with you in every word.

In addition to the arguments that you use, it perhaps would not be without interest to add that recently I have been obtaining

information for the United States Engineers on the heights of masts of vessels, which, of course, will fix the minimum clearance of any harbor bridge.

The United States Engineers did not have the information and I am surprised to find that the information was not in this country. All that the steamship companies had was the height of the top of the funnels; mast heights being considered of no great importance.

The companies cooperated by cabling abroad for the data. As samples I can mention that the "Imperator's" truck is 211 feet above the water when loaded to 30 foot draught, and, of course, would be some feet higher when empty. The "Olympic's" truck is 212 feet above the water, with the other big ships, which are now being built, of similar dimensions.

The introduction of wireless has necessitated the retention of mast by steamers, and the tendency is to increase the height of the mast to make the wireless apparatus more efficient.

No bridges should be permitted across the Hudson river which do not have a clear height of 250 feet, in order to provide some leeway for increase in ships' size. This is compared with 135 feet under the Brooklyn Bridge.

It needs but to mention these figures to show the importance on account of the approaches, of constructing no bridge across the Hudson river really south of Fort Washington. I feel sure that this is the position that the Federal government would take, and rightly so.

Very truly yours,

WM. BARCLAY PARSONS.

That is interesting only from the standpoint, if the bridge question is contemplated by you gentlemen; if you make the clearance on rivers which he refers to, that would land you somewhere in Queens. Since making these studies, or rather since Judge Clark called on me the other day, I have thought that possibly the best solution would be to use the marginal way in place of West street, as Mr. Stevens suggested, and as I suggested in my own original plan, for both the subway and the freight house, with two stories for them; and then in place of having warehouses

above, have lofts above. Think of what you would have up, with territories five miles long, with no transportation, the manufacturing and loading takes place in the same building, and loading stuff out of your warehouse. Think of the saving of truckage.

The loft of Mr. Bush's terminal scheme were a very profitable feature of his plan. So, if the city did this, or anybody who did this, could offer facilities for manufacturing on such a profitable basis to the manufacturers, think of it that the rent would be very considerable to the owners of the proposition.

By Judge Clark:

Q. Would it be feasible to do that if the piers were cluttered with railroad car floats, as they are now all the way up the west side of the city? A. No, I do not think so.

Q. In other words, that could be put in operation only if there were some scheme to remove these car floats? A. To do it well. When you get into the practical operation of any idea new suggestions will come up to you. But there are some things which I think it might not be out of place to mention to you here. It seems that in all of these cities, and it is always the case, there are not sufficient facilities to do the business economically and promptly. There has always been congestion for a good many months of the year in all large cities. I think probably that situation could be helped, if the local business for fifty or seventy-five miles was not handled by railroads at all, but was handled by motor trucks. Motor trucks would of course take the freight from the door of the shipper to the door of the receiver. You take it from Philadelphia here,—a motor truck leaving there in the evening would be here the next morning, and it would ship it right to the door of the man who is to receive it in from twelve to fourteen hours. And if it had to be trucked in Philadelphia from the same shipping house to the railroad, and then go through the warehouse to the railroad, and be loaded into cars, and be brought over to New York and unloaded again here and go through the warehouse feature again, loaded into trucks and then to a consignee, why, it would take four or five days to do something which could be done in a few hours.

That is what Mr. Stevens says, and that a railroad after getting its freight can haul it three hundred miles for the same

freight charge which it costs here for delivering in New York City alone.

Should the railroads assume that responsibility? The English railroads make what they call a store-door delivery. That is an outgrowth of many years' development. It works satisfactorily there. But they have not the long hauls which we have. We have so much territory that railroads must haul much of it. It seems to me the railroads have all they can do to handle this long haul business from the warehouse to the points of delivery. It seems to me also that the express companies are better equipped to do business, this business, than any other person. If they go into this motor truck system, and relieve the railroads of this short haul business, it would be a great step towards keeping this class of hauling out of city. Steam railroads, very few of them, make any money out of their passengers, that is as near as they can keep books.

Of course, the subways are unique. There is nothing like them in the world, and I hope they won't be the same a year from now. We do not have to have any traffic solicitors out. The traffic comes to us. There is such a thing as a decent amount of travel, and there is such a thing as an indecent congestion. I think we have been up against the latter proposition for some time.

Then there is another suggestion which occurred to me this morning,—that is to say—I do not wish to be misunderstood about this—New York is confronted with a horrible situation. Railroads for miles and miles back in the country have unloaded freight on the ground. I understand the warehouses as far back as Buffalo are filled. And I have been opposed always to excessive warehousing of shippers' goods. It has been a cause of rebate which was legal, as nobody has kicked against it. My notion is that the control of traffic should be from the point of production. I think when we get to operating properly, the man who ships must get rid of his stuff at destination. If the flour shippers at Minneapolis are going to ship a big carload to Europe, they obtain tonnage here in New York, and some of their freight may go wrong, they will have ten or fifteen train loads, and some of it will go wrong. So there must be a certain amount of free storage. But heretofore under the old competitive method, and I wish to

say that I think unrestricted competition breeds nothing but economic waste, and in an industrial nation such as we are, I think economic waste is crime.

By Commissioner Ainsworth:

Q. You have coined a very good phrase there, Mr. Shonts.

A. I was not thinking of that.

Chairman Van Benschoten.— Things are changing very fast now, Mr. Shonts.

Commissioner Miller.— We are all being tinted by that heresay nowadays.

The Witness (continuing). Whenever shifting a car once will get it to its destination, I think it is wicked to keep on shifting it; if we have not facilities to keep things moving in the same direction all the time, and if we have to stop and sidetrack for something to pass, or change from one car to another, all of those shifts are economically wrong, and some one has to pay the freight. In the last analysis, whenever you have been guilty of economic waste some one must pay for it, either the consumer or the taxpayer. If the railroad does not make enough to continue that kind of service, it falls on the taxpayer; and under government operation, if that is permitted, it falls directly on the taxpayer.

I was about to suggest, to help out temporarily, under the present condition of congestion in this city — I thought it might be wise to have 1,000 acres in the meadows of New Jersey, and shed that over, and fill it full of tracks and platforms, and run your cars there and unload them as a great quick, cheap method of warehousing. I think Mr. Ritchie told me this morning they have cut the time of free warehouses to seventy-two hours in the city. In the old days a man came in and said, "I have a lot of stuff which I want to ship from the lakes. You furnish me warehousing facilities free in Chicago, and I will give your road my entire business." And I agreed to haul that, and we would take and buy land and build warehouses and pile the stuff under a roof, and when lake navigation was open, he got the advantage of months of this free warehousing. This has existed all over the United States; so this free warehousing got to be a crying evil.

But I do not believe in providing facilities to encourage that sort of thing. I think the tonnage should be controlled from the point of origin instead of coming here and taking chances of a blockade, and taking a chance of getting rid of it, as you only make confusion worse confounded.

By Chairman Van Benschoten :

Q. Has it ever been brought to your attention, Mr. Shonts, that there has been, and perhaps is to-day, a custom of bringing merchandise into say the City of New York, or perhaps other large cities, as it was easier to make loan on merchandise stored in these cities? A. No, that point has not been brought to my mind. That may be true. If we had the stuff, we could always make the loans on it.

Q. I heard that statement made. A. If that is true now, it has been developed since my day. In my day, if we had the warehouse receipts we had no trouble in getting the money.

Commissioner Ainsworth.—Then Joshua was right when he said, "They always serve who stay at home and watch the stuff."

The Witness (continuing). That is very good. Things have changed so throughout the country. I think the time is coming when the Port of New York should be created. I see no reason why it should not be done now, and in view of the present conditions, the Federal Government is the only one to do it.

I have an idea that a slice should be taken off of Jersey and we should take in the waterfront that would be tributary to the port, and as much land back of it as is necessary to develop the plan that is agreed upon as necessary to solve these problems.

With the creation of the Port of New York, under one head, and the development of modern methods in receiving and transshipping and handling freight. I think this city, which is the great entrepot of America, will be put on an efficient basis, and the sooner the efficiency is developed the more useful will this port be during these great war times, and following this war we will have another war of industrial nature. We are an industrial nation, and we have taken our place "in the sun" and from our esteemed enemy; and to hold our place we must prepare. We did not prepare, from a military point of view, as we should before; and I

think we will be fools if we do not prepare now for the industrial warfare which is sure to follow this great war. And the place to begin is New York, which is the leading city of the Western Hemisphere. I think we will not measure up to our duties if we do not immediately take steps to put the whole port on the most efficient basis, and at the earliest possible time.

By Commissioner Stoddard:

Q. This point of the National Government taking control of the development of the Port of New York — Do you think Congress could be persuaded to look upon that with favor in view of the fact that Baltimore and Philadelphia and other Atlantic seaport points have an equal ambition to develop? Do you think that Congress would look with favor upon New York, establishing a Port of New York as a wise national policy in view of the ambitions of other Atlantic seaports? Or, would you think it could be done by the State of New York and the State of New Jersey agreeing to work in harmony on the terminal harbor development proposition? A. I told you a while ago that I was not a politician. You asked what Congress as a whole would do?

Q. Yes. A. If they regard the situation of our country as facing a most critical time, and if they feel this great port is going to play a vital part, I do not think that they would hesitate for a moment. And in view of the fact that the National Government has taken over all of the railroads, and has issued an order now to operate this harbor as a unit, that Mr. McAdoo has issued an order to operate this port as a unit, it seems to me then the logical thing for the National Federal Government to do. It is the logical thing to create an organization under the Federal Law; and I believe if some port like New Orleans, that is equally vital to its territory — as these others are not, as New York takes care of this port — and if New Orleans should ask for the same thing. I think she should get it if she could show that it is necessary and vital to the interests of this nation to have it.

Q. Take the city of Philadelphia, it is spending millions of dollars on the development of its port. One of the claims they make is that by stopping freight at Philadelphia and shipping it to various foreign ports from there, you save a 90-mile haul of

your freight from Philadelphia to New York harbor; and therefore the Philadelphia Congressman and the Pennsylvania Senators from their point of view argue: "Why develop the port of New York? Why not develop the port of Philadelphia? Why should the nation have this extra haul of 90 miles which could be saved if the goods were shipped from Philadelphia? A. They are practical questions, and must be answered. Is not this a fair answer: The question is, where can you get the greatest efficiency of service? Now, what port is it that has the greatest tonnage from every nation in the world? It is New York. Then why should that tonnage be sent ninety miles out of the way to pick up other freight?

By Commissioner Ainsworth:

Q. Would the business interests of New York sit by willing to put the Harbor here under the keeping of the Middle West, in whose opinion holy water never had any salt in it? A. Do you mean Federal control?

Q. Yes. By Federal control, and thus surrender the local control of it. A. You are talking like I have felt myself all of my life, but we are not moving that way now.

Q. The tendency is towards Federal control. But I wondered how the business men in New York would feel like surrendering the control of this port to men in the Middle West, to La Follette or men of that stamp. A. If it is to him, I do not think there is any answer needed. I do not think he represents any section of the country, or that he represents anything except his hide. I think his territory is circumscribed by his skin. I used to come from that part of the country, and I know them pretty well out there. I do not know anybody like him out there. I ran against him in Washington when I was connected with Panama; but I am now a New Yorker, and I am a loyal New Yorker, and my first feeling would be for New York. I am answering from my individual viewpoint, and I might say I am so anxious to see this port made the most efficient port in the world that I would stand for almost anything to get that efficiency as a result. And we are merely approximating progress as we are living today.

By Commissioner Stoddard:

Q. Suppose you were a Philadelphian or a Baltimorean or a

citizen of Norfolk, where the Government is spending a great deal of money, and you felt very loyal to your local town; would you not say, if you were in Congress, "I do not know about developing New York. I am loyal to my constituency here," and would not your people say instead of having one congested national port, let us have six ports along the Atlantic seaboard, on about the same basis as far as service is concerned; and these railroads running to Newport News and Philadelphia and other such places, could handle the freight. In Congress there is a determination to stand by their particular sections on the part of the Representatives. A. If your question stands as you stated it, the alternative is one congested large center for six free going concerns; in that case there is but one answer. But I thought my notion was to put the great one in an uncongested condition. And if that is true, that we are to have one great port, we should lead the world, as God has given us the facilities with these deep waterways and this enormous basin for ships, which none of these others have. I would feel that I could move to New York, or I would reconcile myself to the limitation as put by nature on the town which I was living in. I would not be against anything for the interest of the greatest port in the United States.

Q. Could you persuade Congress to take this view which you have? A. I do not know about that. You cannot have many great things anywhere. We have the opportunity to make the greatest port in the world, and if we concentrate on that, they will all do better in proportion as New York succeeds. In New York they will not hog this business. First, we want to be able to take the one hundred and twenty-five ships which we have here now, when others cannot get any, and they are now loaded in this harbor. This is the place where the tonnage of the world comes through, as far as we are concerned, and why try to make water run uphill? Now, New York has not reached that situation which we wish it to attain. It has not reached the situation it now has because of its efficient facilities. Mr. Stevens says "How much of the growth of Philadelphia, Boston, Baltimore and other places is due to the expensive and archaic way of doing business which we have here it is hard to determine, and yet we still grow larger. But this port should be in position to compete with the world, as we have to compete with the world pretty soon, and we must have

facilities to do it, and then cooperation between the Government and industry is essential.

Q. I have a deep interest in the development of Manhattan Island, as I was born here, but I have had some experience in trying to persuade the authorities at Washington, regardless of politics, to look upon New York in the way you look upon it; but it has been an almost impossible task in the past.

Q. The question is, shall new conditions change that? A. That I cannot say.

By Judge Clark:

Q. You have spoken of the classification yards in New Jersey, with tunnels under the Hudson river? A. Yes.

Q. And the system of warehouses and lofts on the waterfront? A. Yes.

Q. Which cannot take place if the waterfront is choked up by lightering? A. Yes, that is true.

Q. Those conditions apply principally to the New Jersey roads? A. Yes.

Q. The special problem of this Commission relates not merely to the New Jersey terminals, on the west side, but to the New York Central railroad. The New York Central railroad could have no part in the classification of the railroad yards in New Jersey. Have you any suggestion to make as to the method to treat the New York Central railroad in connection with the classification yards? A. No; except as I said, very generally at the first, I do not know what their plans are except in a most general way. As I understand it, they have a yard in the sixties and one in the thirties. Now, if something like we have been discussing here was decided upon, it would dispose of their yard in the thirties, in my judgment. This is said without giving it serious thought, but it probably would fit in with the yard in the fifties, as this scheme I think should be carried close up to the sixties. How far does this marginal way run — I think to 44th street.

Q. So they would have classification yards practically outside of New York City? A. Yes.

Q. Somewhere on other lines of road? A. Of course, any classification yard they would have would be for their own service up there. It would not be accessible to these other roads.

Q. No. They would have to have special provision for them,

joined with the other railroads in some special provision. A. I do not believe I am qualified to speak for them, as I have not studied that. I have not given it any time since you saw me, but I have been crowded, excepting that the great amount of the New York Central tonnage could be sent down the other line.

Q. They are doing that now? A. So that your tonnage coming from the New York Central is light and short haul on New England.

Q. You have spoken of the joint terminal system. Do you believe it would be possible to commence such a joint terminal system, or would it be in normal times? A. I feel very confident that this or some similar plan had been agreed to by the roads before the war, at the time I made those studies I followed it with several meetings, and I had assurances from powerful interests that if the roads joined there would be no trouble in financing at that time. But now in this world change and in view of our Government's attitude with the railroads, it seems to me it would be a good place for the Federal Government to start now. The Federal Government has got to help the railroads; it has guaranteed certain returns on the existing properties. I feel that the Government is ready to see proper development in the interest of the people and of the nation, and I feel if this matter was presented to them they would feel it was an opportunity for governmental aid. I should think the Government would want to finance it.

Q. Even if the Jersey roads said they would prefer to have their classification yards in New Jersey, and their terminals on the Jersey shore, you think lighters or car floats to bring over their freights? A. If nobody in interest wants it, they would not do it.

By Commissioner Ainsworth:

Q. What became of your plan, if you had the financial backing ready to take care of it, did the scheme fail, the scheme which you have outlined in magnificent proportions and in splendid language, what was the trouble with it? A. I do not know. The trunk-line presidents would sit around the table and talk with me and say this is a very good idea, but I never could get them to take hold of it; and I said to them on one occasion, "Unless God Almighty takes hold of your heads and bumps them together, you

will never do anything." And God Almighty now has the situation in charge. I am not blaming these gentlemen. Mr. Underwood, who is coming here this afternoon, is as fine a man as you would want to meet. But I never could get them to do anything.

Commissioner Ainsworth.— That must have been a conversion there as remarkable as that of Saul of Tarsus. I do not believe that this State could do better than to have you talk on this project.

By Commissioner Beard:

Q. Necessarily each road is struggling for all of the freight that it can get? A. That has been the plan.

Q. And it is your notion that the competition for freight prevents them entering into an arrangement? A. Yes, sir; each of them felt that the other would get an advantage which he would not get; and if the other fellow got something he might not get a *quid pro quo*; and nobody had the power to lock them into the room and say "You will have to settle that before you get out of this room."

By Judge Clark:

Q. If the New York Central would be given proper terminal facilities, what do you think would be the effect on the Jersey roads? A. I do not see how the New York Central would get them. I cannot consider any road having more business than it can fill. There must be more than one road to take care of the traffic of this city.

Q. But would not the Jersey roads in competition want to come here and get some of these facilities if the New York Central had splendid facilities that they did not have? A. Possibly, if they could get something for nothing, they would want to get it.

By Commissioner Stoddard:

Q. When you had your conference with these railroad presidents, did you ever study out any railroad figure showing the cost of lighterage as against, say, the cost of tunnelling? A. Oh, yes.

Q. You have those figures? A. Yes, sir. I do not know how exhaustive they are. They are back in 1912 and 1913. Mr. Shafer has them too. They are not final figures.

Q. Did the figures at the time indicate that it would not be more costly to tunnel than lighters? A. As my recollection is, I think we would save about one-half — from 50 to 70 per cent saving.

Q. Saving to the Jersey roads? A. Yes.

By Commissioner Miller:

Q. You have described these indirect benefits by reason of taking vehicular traffic off of the streets and the convenience to the merchants, but they are indirect benefits, and you could not count them in as benefits to this road? A. No.

Q. How could those be taken care of? Those are weighty. A. I used to buy furniture of a fellow in Chicago, he had an expression which I thought was fine. I was working then for forty dollars a month. When I bought a piece of furniture he would say, "That is all right, my boy, I will blow in something for nothing." And I was happy. There is enough business to pay a splendid return on any outlay, and provide splendid economies so as to justify the city in blowing in these indirect benefits which have been described.

Q. In other words, you mean a contribution by the city? A. The corporation would blow it into the city.

Q. So you think there are direct revenues which would pay for this improvement? A. Oh, yes; and at the same time reduce the present cost to the people probably fifty per cent up, fifty per cent as a minimum.

By Commissioner Beard:

Q. As I understand your plan, Mr. Shonts, it would be a terminal railway line along the marginal way, with warehouses, practically one continual terminal along the marginal way. Did I understand rightly that these terminal stations, these warehouses or depots, would be built on the marginal way itself? A. Mr. Stevens' suggestion is that they be put on West Street and not on the marginal way, leaving that all for the warehouses. That is Mr. Stevens' thought. My own thought is that they could be there with the yards at the stations, the stations to be selected by statistical studies of the traffic centers. And then you have one floor to receive, and another for your outgoing freight.

Then you can place as many as you wish of these lots for manufacturing purposes above that. And at your piers you would have

houses there, such as you want. But my thought was that they were all right there, these lofts would be especially attractive to manufacturers, as there would be no trucking for them. Our manufacturing plants would be directly over their transpor-

III

A large portion of that belongs to the city now. Would you be telling us briefly the scheme for financing the subways? The present ones?

Yes. A. Brother Miller (referring to Commissioner Miller) will correct me if I do not state it properly. When I came eleven years ago we were beginning to get congested, and I gave one year to study congestion, and then we began to make suggestions for the city extensions with private capital. I think the first offer was two-track, and we made the first offer without asking the funds to provide it. That was turned down. Then we made a four track proposition in certain territories. That too was turned down. Then we made a four-track proposition in a larger territory. That was turned down too. Then the city proposed to bring the B. R. T. into Manhattan Island, so that the fare of Brooklyn would have relatively the same distribution as the people of the Bronx had, as far as Manhattan was concerned. They finally agreed to let them go up to 42nd street, then to 85th street and back home; and from that time all our offers have been for private capital, we, to furnish the money for construction and equipment.

Then, when the city authorities decided on a dual subway system, they said "We have decided on this," I said, "That is exactly all right. All you have to do is to build them, and we will operate them if you want us to do so." They said: "We have got to get the money; we want you to furnish one-half of the money." I said "We cannot do that, as you have an uneconomical situation. You have a belt line within a belt line, and you must have some revenue for them, so if you want us to furnish one-half of the revenue we must have some protection;" and they finally decided on preferential payments. Those preferential payments were decided by taking the net return for two years. We charged up the operating expenses, about \$1,800,000, to strengthen our equipment, to convert seven-car trains into ten-car trains. That was ordinarily under the regular plan, and by

looking ahead to the time when they would squeeze us they charge that to operating expenses, so they reduced our revenue about \$900,000 by that arbitrary and unjust rule. So we are at the subway preferential in that manner. Then the question came about the elevated. We had a lot of people in the city who did not think we should put in the elevated. Of course I am the easy mark, and I said, "We have the last two years, we are the biggest in our existence." I said "Let us take a subway preferential and divide with the city, although we furnish a lot of money."

That was the second or elevated preferential. Then the cost of construction on the lines would be \$116,000,000, and our share of that would be \$58,000,000. We limited our contribution to \$58,000,000, and any excess would be paid by the city alone. I estimated the cost of the equipment for the subway to be \$22,000,000. One of those smart fellows that never let an opportunity get by to singe us, said "You will spend that whole \$22,000,000 now. Things are depressed and as a consequence you will get your whole equipment for much less than \$22,000,000 and we do not know but what we think the cost of construction will exceed rather than the cost of equipment, and now if you do not spend that \$22,000,000 for equipment, we will have the right to call on you for what you do not expend of the \$22,000,000 for that purpose, to help us out." I said "All right but we must have a *quid pro quo*. It is very possible but before this is finished we may get into a boom, into boom times, and then this \$22,000,000 will not answer our purpose. We will have to expend more and I should be reimbursed for the amount if it costs more than \$22,000,000." Brother Miller said, "Well, we are not going to speculate on that." I said "All right. We will have to settle later." I said, "If the money for that excess costs us four per cent we will add four per cent on; and if it costs us ten per cent we will add ten per cent on." He said "All right, whatever it costs." Incidentally, it has cost us 100 per cent more.

By Commissioner Beard:

Q. Then the city and the company furnished the money?

A. Yes, sir.

Q. And as I understand, you have a plan for amortization?

A. Yes.

What would be the status at the end of a period of years. We get our preferential. There are four of them. The other x per cent, which includes the amortization; that is for the way. For the elevated itself it is almost the same, except there are some features, some two million there only get 5 cent, to be accurate, so we are entitled out of the other earn- to an enlarged preferential.

If any year they are not earned, the amount they fail to earn accumulative, with compound interest, before the city gets anything. And after, the city gets the same amount as we do, they one-half and one-half. We figured out 8.76 per cent. The insisted that instead of getting just that return on their they they should get 8.76; so after we get our preferential and city gets 8.76, we divide half and half.

Now, operating expenses; first come from gross expenses, adequate maintenance and depreciation. We know what adequate maintenance means. Depreciation as interpreted means the amount required for duplication in kind of the thing depreciated. If a particular thing lives its normal life, there is a sum to charge it.

When follows a new word it is the word "obsolescence." The word that came nearer doing that than any one else is the Pennsylvania road. They set up a dollar under their old rule in the early days when a railroad was a railroad, they set up one dollar reserve fund for each dollar distributed in dividends. As a result, they had a fund to develop the art of railroading, and it was for that reason that the Pennsylvania railroad has been the progressive of our railroads. They had a fund to work on road building.

That is, scientific research applied to railroading? A. Yes. They have gone one step further. They did not turn the money in for years and so could not do that, could not continue it. But the idea of obsolescence is the same idea they had, except that in maintaining certain standards and setting aside a fund, if not superseded by something better, then we set aside a sum, which will justify the company in scrapping its equipment that has not yet lived its life; but which has been superseded by something infinitely better. We scrap that and buy something new. That obsolescence fund is for that purpose. So that at the

end of the lease, which is forty-five years of the time of full operation, the city will have a property free from anything, and a property not only maintained and equipped as good as anybody, but that equipment to represent the latest word of the art as of that date.

Then the city gets it free and clear.

Q. And you thought this scheme could be financed in that way?

A. Yes.

By Commissioner Ainsworth:

Q. But if it is done, something must be added to the freight charges to meet that? A. I think so.

Q. This is taking money from one pocket and putting it in another, isn't it? A. In a sense you might say that, yes. It creates a reserve fund, and it is there for any cause. Take this ten years ago, our 96th street power house was the wonder of the engineering world, and the technical magazines and the electrical papers were full of articles about it; and we shut it down two years ago as "obsolete". The development of the art is so rapid that while it is taking money from one pocket and putting it in another, we had to take the capital to replace it.

Q. But in providing a great freight terminal, with the provision that after the corporation shall have created it and used it for a term of years, it shall revert to the city, or revert to some one else, you are adding to the cost of the shipping of freight a charge which will meet the ultimate turning over of the cost of construction which you are putting in? A. In as much as there has never been a trade with the Federal Government, I do not know how to answer your question. One word: Some time ago under the old regime the steam railroads owned all of their terminals in fee, and those terminals are covered by mortgages of various kinds; it would be almost impossible to have gotten those terminals out of those mortgages unless there was another security to take the place of the security from which they were taken under. And my notion was that the railroads probably want perpetual franchise or perpetual protection before they would give up this land they own in fee.

Q. It is refreshing to me to get in touch with you men who are

doing things. But I am wondering whether there is any difference between the financing of the terminal of a corporation, the terminal of a great number of railroads, or the financing of an institution that must serve a locality and does not distribute its service over the whole country as a terminal would. Hence, in the subway there is a reason for the city to own it, as it is an institution created to serve the city and no one else. While in preparing a freight terminal, you are serving not only the city but the entire United States; so why turn it over to the city fifty years from now? A. The country has always paid that price and it does today. Wherever you build your freight terminal, from Chicago, Peoria, or if it is the lowest class of freight, you deduct three per cent. from the tariff rate, and that goes to take care of this terminal. And New York and the whole country pays for it.

Q. What I am wondering is, isn't that because the proper regulation of the freight has not been had. When you get an improvement which costs one hundred million dollars, and which after twenty-five years you are to turn over to the city, you are adding a charge to the shipper which he should not pay, with the proper regulations? A. No. The terminal is part of the rate. That is one reason that I am opposed to the railroads assuming this storey delivery charge. I think their rate should be kept to their own rails. I was planning with the roads, that they should own this terminal.

Q. But when you come to requiring railroads to put all the money into it, and provide that fifty years from now you will give it to someone else, my mind is not clear on that. A. I think you are entirely right. In addition to the fact that the owner owns in fee I think it is too much to ask the railroad to give that up. But there is a reason for this word obsolescence that is what I am trying to make clear.

And when these belt lines I was a party to in the West, in all of these belt lines it was always a part of the rate; but as we gave better service, and taxed no one, the public was getting better service at less cost; but it was the property of the road in fee. No one ever thought of amortizing it or giving it away.

By Commissioner Beard:

Q. You were proposing to give the railroads part of West street

and have part for the city? A. I think the city should have a return on its property. It should not give it away.

By Chairman Van Benschoten:

Q. Mr. Shonts, I assume, taking this general plan you have in mind, it would be necessary to have a subway down the marginal way; that an elevated would not be as practical a proposition? A. Mr. Stevens' letter speaks of it; and he favors having it there unless the objections are insurmountable. I am a subway man, personally, I think every time you put a column in the streets of Manhattan you are putting up a perpetual obstacle that every person has to move around, and the more you do that the more you congested your restricted areas. I think we should use the tracks under ground, use the street level and the next level above that, the street level, and then you have the next above that for other purposes.

By Commissioner Todd:

Q. There have been other witnesses before us who have contended that a subway was not practicable because of the way that the subway along the marginal way would be under water and there would be difficulties, and fears of leakage because of water seeping in. You have had a great experience on the way proposition, and I would like to have your opinion on that point. A. The most dry portions of our subway are the portions under the East River and when it comes to the question of confidence in the strength of that tube, which is sustained largely by this location, when we had this question up of increasing from 7-car trains to 10-car trains, I had a staff of my own that was on duty daily, and I asked one of our boys, "Are the tubes strong enough to carry 10-car trains?" I said, "How are you fixed on this?" They said they had not tried it out. I said get ten cars together and go down that steep incline at the rate of about seventy miles an hour, and then put on the brake to see what happens. The train broke into ten units and smashed up some things there, and we had to spend this \$1,800,000 which I speak of.

Now, if that could do that under the river with no foundation, what is the matter with the subway on the marginal way?

By Chairman Van Benschoten:

Q. And the additional cost to put that in proper condition

not make it impracticable? A. Oh, no. If you are going to do your other job right, you have no maintenance.

By Commissioner Ainsworth:

Q. The point has been made that a subway is a continuous track, while running up on the West Side when you came to those portions inside the tunnels you would be below high water, and you would have openings to the basements of your warehouses, and these lofts and it was contended that it was very expensive to guard against the seeping of water around the foundation of your warehouses, while in the tube under the river you have not anything of that kind to guard against. Is there anything in that contention? A. Yes; there is something in that.

Q. Simply the question of expense, however? A. Yes.

By Judge Clark:

Q. What about trunk sewers? A. We have to move them about, change them. I know Mr. Stevens spent months on a scheme of his own in connection with that.

By Commissioner Stoddard:

Q. Some witnesses have testified that it would be almost impossible to operate in a subway. A. We are doing it.

Q. But you do not have spurs into warehouses. A. Some one suggested about running elevated lines to warehouses. I do not know where the idea came from. In Chicago they have a tube, sometimes an 8 foot and sometimes a 2 foot tube; and Marshall Field will give them a contribution to build a tube to his place. We expect the private interests to build to the terminals. When you provide a zone of limited area, you give every shipper within a few block's haul access to all of the railroads entering the city. When you have done that, you have done your part.

By Chairman Van Benschoten:

Q. It was not your idea to have the spurs come in? A. No, sir. This is simply to create a union freight depot.

Chairman Van Benschoten. — On behalf of the Commission, Mr. Shonts, we want to sincerely thank you for this illuminating statement. It is from a source which naturally carries great weight with it.

The Commission will now take a recess until 2 p. m.

AFTER RECESS

Chairman Van Benschoten. — If the Commission will come to order, we will not keep Mr. Underwood waiting any longer.

Following the practice we have, in order to make our record complete, I will ask you to raise your right hand, Mr. Underwood.

Frederick D. Underwood was called as a witness, and having been duly sworn, testified as follows:

By Judge Clark:

Q. Mr. Underwood, you are President of the Erie Railroad, are you not? A. I am.

Q. You are familiar, are you, with the object for which this Commission was created under chapter 720 of the Laws of 1917, to investigate the terminal situation on the West Side of New York, and especially the relation of the New York Central to that terminal situation, and to report to the Legislature on the situation, with recommendations as to the solution of the problem? A. I do not claim to be familiar with the problem —

Q. That is the general object. A. With the object of your Commission, I should say — I have occasionally read of it in the newspapers.

Q. And in solving that problem, we are very fortunate in getting you to come here and aid us and give your view of the problem on the West Side of Manhattan, particularly as it relates to the New Jersey Railroads, which, it seems to us, are considerably affected or interested by the solution of this problem; do you handle the freight, Mr. Underwood, of the Erie now, as I understand, by a system of lighters or car floats? A. Both. Both by lighters and car floats. Cars are floated from the Jersey shore to several other points and these same points to which we bring freight by lighter. The carfloat freight is brought inland, is not directly on the waterfront. For instance, on the corner of 11th avenue and 28th street, I think we have a freight house, which is probably four to six hundred feet from the water, with a track across the marginal way. Over that track passes carload lots of freight, and to all intents and purposes there is a railroad yard there, and as a matter of practice, we do not differ — I need not take your time, although, as I dare say, it has been explained to you by other transportation

interests—our practice is the same as other roads of Jersey. Then we bring over lighter freight and deliver it all over Manhattan Island, and down the East River to Newtown Creek and Bush Terminal. We float it indefinitely; I do not know at how many places. They have sub-stations there and public docks and deliver to private industries all around. I suppose perhaps we have 150 floats, or maybe more. All we can get now — lighters, I should say — I do not want to confuse lighters with carfloats.

Q. No? A. We use the term "float" as floating cars. We send empty cars here to be loaded.

Q. In handling that freight, your cars, except at the 26th street station you speak of, the 28th street yards, are not taken from the floats? A. I am sure you are correct. It is our ultimate end to have other yards, but we have not yet been able to do it. We have a site on the East River about 145th street, where we propose to establish an inland yard, but the fact that we have not done so has been due to financial reasons. We were stopped for two reasons, if I may say this —

Q. Certainly; in your own way, make any statements. A. The whole complexion of affairs is somewhat altered since the completion of your organization, by the advent of the motor truck, which is fast putting a new face on all those city freight delivery problems. We have thought that we could establish numerous freight stations more in the interior, speaking now of the interior as regards the waterfront, down in this rather gone-to-seed realty proposition, as you see, between Broadway and the Hudson River. You will see a great many blocks that do not amount to much from a real estate point of view. Now, we thought we would secure some of these, and through the medium of motor trucks collect freight there, and both assemble and distribute it from there through the medium of motor trucks. That we thought of. In fact, we have a plan made up which has been made by Mr. John F. Stevens before he was sent to Russia, to bring that up, to bring it up here, because I think you will do well to consider that if you have not.

By Commissioner Stoddard:

Q. Have you that plan, Mr. Underwood, in such a way that the

Commission could make use of it? A. I should think, Mr. Stoddard, it was more of a study than a plan, but whatever we have, you are welcome to it.

Q. Yes? Well, mean a report of some kind more or less. A. Yes. I would be very glad to turn it over to you.

Q. From Mr. Stevens? A. Yes.

By Judge Clark:

Q. Do you own or lease a number of piers on the waterfront? A. We lease one on the East River known as Pier 7, we lease one or two — we lease two at Duane street, known as 20 and 21. We lease one in 149th street, and we lease one in 28th street, that is a landing. We have a temporary lease on the Albany Day Line, now during the winter season. We have a station in the Wallabout Basin in Brooklyn.

Q. You say you have about 150 lighters; how many carfloats do you say you have? A. We should have 20; we are short some now. We have lost some, and some have become obsolete, and we are unable to get any just at present. 20 is our quota. I do not know just how many we have. I might say 16.

Q. Now, what are your terminal facilities across the river on the Jersey shore? A. We are in 1600 feet about opposite — a little north of opposite where we are from between the Lackawanna and Pennsylvania. Then at Weehawken we have another frontage, that I am unable to give you; it is a waterfront, and it contains five piers there, and then at Edgewater, the New York, Susquehanna & Western Railway which is controlled by the Erie, has a coal unloading plant there, that is about opposite Grant's Tomb, and they have a terminal there. That is all our terminals on the Jersey side.

Q. So that the property which is involved in the handling of freight from the Jersey shore to New York city are the Jersey piers and waterfront you have spoken of, the lighters and carfloats the New York piers, and I presume tugs? A. Yes, tugs, and the ferry boats, if you want them. We have a line of ferry boats.

Q. Have you ever calculated the cost of delivery of freight in Manhattan from your Jersey terminal; have you ever made any

investigation onto that subject? A. Oh, yes; the costs I am not prepared to say — we can give you the costs, but they have not been kept as accurate as they should be, because it is a sort of a disagreeable thing to have to face. We do not always want to know just how much that does cost. We had to do it anyway, when we were allowed three cents a hundred, and there was a time, when that was begun, when it was considered sufficient compensation, but that has long since passed. We take the three cents now and smile, and pocket the rest — the losses.

By Commissioner Ainsworth:

Q. Three cents a hundred? A. Three cents a hundred; 60 cents a short ton, and that is on through freight. That is taken off before we pro-rate with our associated lines. We take off or deduct three cents for New York lighterage.

By Judge Clark:

Q. So that you are now conducting this business at a loss, after receiving the three cents a hundred? A. Undoubtedly.

By Chairman Van Benschoten:

Q. Would that be so in normal times, Mr. Underwood. A. It has been so for more than ten years. Pier rents went up and wages went up, and cost of everything, equipment and everything, and that three cents has to stand it all.

By Commissioner Stoddard:

Q. Did not that condition lead you, Mr. Underwood, at some time or other during those ten years, to look into the feasibility of a terminal in New York city on a wider basis, a more comprehensive terminal, than any that are now in existence; for instance, should the operating terminals of other railroads be owned in part or wholly by the railroads, or by the municipality; have you ever studied that as a problem? A. I would not say we have studied it. We have lent a very respectful ear to anyone who had a project of that kind, but it never sunk into us very deep.

Q. Have you had an opinion on the subject at any time? A. Not very well grounded. I have had an impression, not an opinion. I have not studied it sufficiently to ever have an opinion. Lilienthal has a scheme — was it not for a bridge up there —

we went through that. We have not paid any attention to that I think for ten years, but our records are full of these things that I do not carry. I have only a vague impression of it. We have listened to everyone who has had a scheme, and, as you know there have been numerous ones broached.

Q. And none of them has ever appealed to you? A. None of them has ever appealed to us, seriously.

By Chairman Van Benschoten:

Q. There has never been any attempt on the part of the railroad, from their end of the matter, to work out such a proposition?

A. I do not think any concerted effort. You mean the Jersey railroads?

Q. I mean the Jersey railroads? A. I do not know of any concerted effort on their part.

Q. Has the study which has been given to it by yourself, ever led you to a point where you had information as to the comparative cost between the present method and the method — or any other practical method? A. I do not know as I can answer that. I have had some impressions in my own mind, stronger than impressions. My thought has always been to sort the freight over on the Jersey Meadows, and not put into New York anything that did not belong to New York — distribute it. New York is now a distributing point for a great part of the country. This little end of Manhattan Island is congested with the traffic that has really nothing to do with it, but it comes in here, and for him it is merchandised all over. I have always thought we would not bring it here; we would bring it to Jersey and sort it from there, and let New York have what belonged to New York; but if a shipment of stock was going to Peoria, Illinois, I never could see why it had to come on Manhattan Island at all.

By Commissioner Ainsworth:

Q. Does it now? A. In many instances, it does, for import shipments come in. For instance, the New Haven Railroad would bring a shipment of stuff that originates here, there are too many articles trucked through the streets of New York in my opinion, that do not belong here at all.

By Chairman Van Benschoten:

Q. Of course, articles that are manufactured here, would have to get out of here? A. Yes, that is true.

Q. But is there any substantial amount of traffic which is imported, or which comes from New England or from any other section of the country, does it come to New York, and is then shipped out again to other sections of the country? A. I have not a right to express an opinion, but my impression is that these wholesale dealers in print and cotton goods bring in a great deal of stuff, and put it in warehouses here, that ultimately finds its way on trucks, and goes over to the station, and is shipped out — that is my impression.

Q. Have you any impression as to why they do that? A. No, sir. I have not. It is the custom; I suppose, it grew up. I fancy their fathers before them did it.

Q. How about the freight that is brought from the other sections of the country, outgoing freight; does your road bring in the freight which is to be exported to Manhattan Island, that is, on the Island itself? I assume you bring your lighters perhaps to the side? A. Well, I would think that we did, because, of course, we must, as there are certain lines of steamers that leave from the Jersey shore, certain other lines leave from Manhattan Island. We are bound to lighter the stuff over alongside of the ship. That does not answer your question, however — I do not know. I presume that we do, because it is purely an assumption, and I do not know about that.

By Commissioner Stoddard:

Q. Mr. Underwood, during all these ten years there have been various schemes, as you have said, and plans, for relieving this situation in New York city. Now, one plan was to come under the river by tunnel, and have a subway built on the marginal way and around the city, as far as possible.

Commissioner Ainsworth: To cross.

Q. Another plan is to have an elevated road along the marginal way; another plan has been to extend the New York Central terminals in such a way that your road and other roads now terminating in Jersey City could use it. In all those various plans,

has there not been some time or another when you have given serious consideration to one or more of them, that you have had a theory that something was practical? A. Yes.

Q. Something might be better than your present method? A. I think at one time — I thought at one time the only way was an elevated track down the marginal way. I had great ideas of dropping stuff into ocean piers, off this elevated track, and when the subway project was born and put into execution, I fell for the subway plan and I said "That beats the elevated" and I have been sometimes in my own mind favoring the elevated. I gave that up, and I went in for the subway idea. Now I have not any opinion at all, because the motor truck has upset my calculations, and I do not know that you can afford to sacrifice a Manhattan Island for either of the purposes I have just outlined.

By Judge Clark:

Q. Don't you think it would be a sacrifice if we had more trucks added to the present 2,500 that are now congesting the streets of New York? A. I do not think it would, because it would do away with a great many of the other vehicles. It would not be a new project. You have now the streets full of trucks and if you have a systematized plan of motor trucks that were bound to go between the hours of eight and four p. m.; you might simply try the thing, and that is the traffic difficulty. You might regulate the line of motor trucks. Your trucks now congregate on two or three streets, and you could dedicate some streets to motor trucks, and nothing else, probably.

By Commissioner Stoddard:

Q. Mr. Underwood, you have just stated that you are contemplating a new terminal addition down here on the West Side of this dead district between Broadway and the river? A. Yes, several.

Q. Now, suppose, your road should do that, and the Delaware & Hudson should do it, and the Lehigh Valley should do it, and the Baltimore & Ohio should do it, would not that be a far worse situation for the city of New York than if we could, by some means, unify all of your terminals or warehouses, or whatever you call them, and get a unified operation of all of them; would

not save land; would it not spare Manhattan Island from being spotted here and there and everywhere, by each different railroad coming into it? A. My thought in doing that was to get away from the congested waterfront; that was the first thought, that you get it over into a part of the town that was not very busy now, either in the streets, or as far as the pier area was concerned, that was the idea. Now, about a terminal for all railroads, that sounds well and it might work, but you would have ten acres of teams down there some day and you would have so much congestion that you could not do it; you can have a Union station too large for comfort. You now have a pretty good walk in the New York Central before you get to your train. If that was as big again, you would have to take a cab and go from the ticket office to your train.

Q. Yes, but suppose there was a station down here in this vicinity, and another, at zones, 14th street or 23d street, 42d or 44th street — I am saying that to illustrate — and then on the East Side, two or three, and all of the railroads entering the city could use or shoot their stuff into those different terminals according to the zones to which they are consigned; would not that be a fairly good solution of the problem? A. Yes, it would be a good solution anything would be a better solution than having a central. You can spot this island with terminals, if you like, and never have congestion. Pardon me — if I say — suppose you had one of those large terminals and something happened to upset it, the whole thing is overboard then. You may have an interference, you may have a conflagration, and it would stop your street traffic, or labor trouble, and you would tie up the whole terminal; where, if you had twenty or thirty spots to select from, some of them would keep going.

Q. I did not mean to give you the impression of merely one central terminal; I mean a terminal — A. A joint use?

Q. Jointly operated? A. I understand now. Your question would be this: the Lehigh Valley and the Lackawanna and the Erie, and so forth, might use one terminal?

Q. Yes. A. That would be good and perfectly feasible and desirable from every point of view.

By Chairman Van Benschoten:

Q. Assuming that the terminal tracks run from Canal street to 59th street, and they are using their cars over the entire extent of that trackage, so there are receiving stations or traffic stations, wherever it might be thought best along that line, but no one spot where they all center. Of course, that is the proposition which I think Mr. Stoddard has in mind ——

Commissioner Stoddard: Yes.

Q. Well, now, you say that you think such a proposition would be good. Have you any idea why, if that is so, why it has not been worked out by efficient railroading? A. First, the cost; second, there never has been — it has been impossible to reconcile the railroads to blend their efforts, or to use a joint facility. There is always a pride of ownership in each one with the preventative of going in with the other fellow, thinking he might contract some sort of official vermin from him. The impression is “I will have my own and you can have yours.”

Q. Then you think the question of the cost of such a possible terminal as that makes it impracticable or just simply that it has not appealed to the railroads? A. Perhaps that was more or less of a shibboleth. It was a good one, but the real trouble is we could not reconcile our differences. You do not need to consider the cost if you do not care to. If we could reconcile our differences, the cost would be secondary, but we would always parade the cost as an excuse for not doing an ultimately sound and right thing.

Q. Is not this fear of official vermin lessening somewhat these days? A. Oh, yes, it has gone now. We have a very thorough antiseptic now. (Laughter.)

Q. So that the real objections of the days gone by, perhaps have gone with it? A. Somewhere I think it says in some book. “Now is the accepted time,” I think. I think now is the accepted time to do that, because I think now this thing of putting us all into one common fold, you know, would have the effect of disarming decision. We would get used to each other and run more in harmony, physical harmony, than we have ever done before.

By Commissioner Beard:

Q. Is it not true, Mr. Underwood, that the government has removed competition as to rates by fixing uniform rates, and thus

forces the railroad companies into even sharper competition for terminal advantages; that has been stated before the Commission, I believe, by some of the representatives of the railroads. A. Do you mean now something that has happened within the last week?

Q. No, I do not mean recently. A. for two decades, practically, there has been no competition in rates, and the competition has been wholly in service. If I can make you believe my beds were softer and my meals were better than the other fellow's, you came and gave me your patronage. That was the blandishment we used, having lost the blandishment of giving you back money for rebates.

Q. And the terminal was an all-important element? A. That all contributed to service — everything that made up the transaction from the time the freight was loaded on the cart until the time it was delivered, and the more attractive that could be made, or efficient, if you please, the better you would look at it and the closer would be your adherence to us.

Q. Then, this settlement of the railroads has perhaps been perfectly natural; it has been forced upon them? A. The same as the struggle to-day — the struggle or competition between merchants or hotels.

Q. And the government has helped too, has it not, in forcing it on you? A. The government took away — yes, the government took away our right to buy business through the medium of rates, and therefore, they gave a somewhat unconscious, perhaps, incentive to good service.

By Chairman Van Benschoten:

Q. That has tended, has it not, Mr. Underwood, to action on the part of the individual roads, to keep their own service separate from the service of any other roads? A. Yes.

Q. So that they could say that this is my service and better than any other service? A. Preserve your identity.

Q. Preserve your identity, and naturally it would tend to prevent co-operation in terminal facilities. A. That was the result.

By Commissioner Stoddard:

Q. Mr. Shonts stated here this morning that he had made a study of the comparative cost of what is now practically the lighterage

terminal that you have here, and the cost of operating a subway under the river, with various stations along the West Side, various warehouse stations, in subways under the river, and subways through West street, with terminals here, there and at other places, spotted around in it, which you could shunt your cars on, and the trucks would back up and take their freight off. My recollection is that he said the survey he made indicated an approximate saving of 50 per cent over your present costs, or under your present costs; would that seem to you to be a large figure of saving?

A. No, I would not — if he has made figures on it — I would not put up my impression against his figures. I am bound to give him the benefit of the doubt that he is right, until I know to the contrary. We have got some figures, but I do not know what they are. They are ten years old, of course, and are not good for anything now.

Q. Now, his figures are four or five years old; I think he said he made that calculation in 1913 or 1914, if those figures were approximately correct, or even if it were 10 per cent better and the efficiency of the service could be improved, would not that appeal to your railroad as a pretty wise move to make, and not leave you, if I may use your phrase, handling it as your fathers handled it, and as you say the merchants here, as a matter of habit —

A. Of course, anything that would lessen our charges to the public would appeal to us, without any further movement. If Mr. Shonts or anyone else has a scheme to get it into Manhattan Island more effectively, first giving us a chance to compete with more of the business than perhaps we are now getting, and at a lesser cost, why, the answer is before you — we would have to, but I am skeptical about it.

Q. But, Mr. Underwood, you know we have, through the congestions here, very costly delays to the shipper, to the merchants of the city, to the manufacturers of the city, besides heavy truckage costs through having the trucks stay four or five hours, sometimes a whole day, waiting to get to a pier, and so forth; all of those things add to the cost, and as it has been said here very well, the tax must be levied somewhere, it must find a resting place on somebody, either the consumer or the railroad or the community.

Now, if that could be done away with by such a system as has

been outlined, either subway or elevated, and by joint operation, is there any reason in your mind why the Erie railroad would not undertake it? A. That we should become a party to the arrangement?

Q. Yes. A. There is no reason why we could not; there are some things that can be done. Of course, there are some things that have been for the last three years abnormal in the way of congestion. Those can be remedied without any of these things that we talk about. The remedy is at hand for them, that is, it is not momentarily at hand, but it is at hand within the next year or two. We have never utilized the facilities, none of the waterfront; I speak of what is dedicated to the use of railroads; that has never been worked up to more than half of its capacity. There is no reason why we should have single-story warehouses, when the warehouse could have two stories, and teams drive in the upper story on a ramp, and draw their freight in on the street level; there is no reason why that should not be done. That is an immediate remedy, that is almost momentary.

Q. That is, on your present piers? A. Yes.

Q. Would not that naturally lead to the development of the waterfront for railroad purposes, rather than for what seems to be its more logical and appropriate use of steamers? A. Yes, it would; but my contention is there is waterfront for all. I never was in sympathy with the statement there was not waterfront enough here for everybody on Manhattan Island everywhere. I do not agree with the delusion, or idea, rather, that we are short of waterfront. We had better utilize what we have.

By Chairman Van Benschoten:

Q. Well, Mr. Underwood, in looking forward to the time when after the war, we probably are going to have an industrial war, maybe, and in the future years as business men, and you great railroad heads look, what comes to your mind as the best proposition in a general way of handling this freight question as it comes up between New Jersey, the Jersey shore, with the trunk lines, and the Island of Manhattan. Now, you have referred to the impression that you thought there ought to be a transportation yard. Would you mind stating the complete method which you think would be the most advisable, having in mind the future

years as well as the present time. Now you have a classification yard over there. Was it your idea that that should be a joint classification yard, or each road have one? A. Yes, a classification station, if you please. There is in the transportation world a term, "Classification yards," which means for cars. I will go further. This is a classification station, and bring it right down to a concrete instance — if there are cargoes coming in from all over the country, on the Newark Meadows, and some is going to New England by water, and some going by the sound, by water, and some up the Hudson by water, and it is going to all conceivable places by rail, and then a large portion of it is coming to Manhattan Island proper, I would sort it all there, and I would put it from that station on to the vehicle that was going to transport it to its ultimate destination, right there.

Q. So that there would be no change from that spot if it was coming to Manhattan, if it was going over in Manhattan? A. I could imagine a slip cut in there, and a boat loading over there, for any point, if you please, down the sound.

Q. Now, what suggests itself to you as the best method of transportation between that station and Manhattan, for the Manhattan freight? A. You can have a great many. You can have your subway, if you want it. You can have it brought over on large floats; you can send trucks over there for it, and load it right on to tracks there, and take it to its final destination. You can take it to Park & Tilford's store, if you want to, or any two or three stores right from there. You can do anything you want to there. You can bring it over, and there comes in your subway and distribution; but you fall back to my fundamental, that you are in Manhattan, and facilities are not wanted here.

Q. Certainly; but do you consider it feasible to have a vehicular tunnel, which permits it to be used, of such a character, by motor trucks? A. I read of it.

Q. Do you think that would handle that situation, or has it got to be a tunnel where the freight cars may be pulled into Manhattan? A. I think a vehicular tunnel would be the first step out. If that did not serve, you could always make a tunnel. You can always make a car tunnel. You have got two things to consider. There is a certain grade down which it is not wise to

go in hauling freight cars. The mouth of your tunnel might be over here somewhere on the East river before you get to the right place. You would have to begin it a good way back, and that would be a tremendous expense, but you would not have accomplished what you want, to deliver your freight somewhere where we are now, the backbone of Manhattan being Fifth avenue, you would be perhaps as far off as Jersey City.

Q. Could that be covered by a loop? A. You have these grades. You have to make your design, you have to get under the river and get out, unless some engineer has a plan that would make a tunnel without going under the river, which I do not think would be feasible; in other words, your syphon would be too abrupt, to get through with freight cars. You can have 2½ per cent with vehicular traffic and more, and overcome that, which you would not with a steam railroad.

Q. Then it is rather your idea at present, that perhaps the first attempt at a solution of it, so far as the Jersey freight which is to come to Manhattan is concerned, would be to handle it by the motor truck, or by lighter? A. Both; you might consider both. One would never interfere with the other. They might be made very valuable adjuncts. I would be in favor of a vehicular tunnel, and the sooner, the better, because that would afford immediate relief, and you can make the capacity of a vehicular tunnel, of a size that is hard to compute. You can run ten ton units through there as fast as would make the steam railroad blush.

Q. Do you think that is going to help, such a fact as that is going to help out the New Jersey railroads in getting their freight rate to Jersey City, instead of to New York? A. I did not know the Jersey roads would be affected by that. I did not think of that. I was thinking of it more as a citizen of New York than in any other point of view.

By Commissioner Ainsworth:

Q. How would that relieve the congestion of street traffic on this side? A. You can have your motors land at such places as would minimize the street traffic, and you can have them running hours when traffic was over. It happened I rode up Eighth avenue

this morning at one o'clock, and I was thinking about this very thing, that is, about the congestion. I said "Here is Eighth avenue; not a vehicle on it." Once in a while a belated taxicab would come across there, but you could have brought anything you wanted on Eighth avenue after seven o'clock at night. There is no congestion. If you have got a system of motor truck delivery that you can control, and blot out your individual truck, you can do anything you like with street traffic. You can do anything you want; you can make oneway streets, and forbid them to come over only at certain hours. There is no reason why a warehouseman should receive freight only between the hours of 7:00 a. m. and 6:00 p. m., except that he wants to, that is all. It is his convenience. They can get it in at night.

Something has been said before, which struck me with great force, that there was a considerable effort upon the part of shippers to get their freight over on to the other side at the hour when freight trains were leaving to get into Chicago or some western terminal, that they wanted to get the full day here, and get on over there to catch the trains out, and that the custom of the trade limited the hours, and not the convenience of the street. A. Well, that is so on both sides here. That is so here. For instance, we shut down a freight house door at four o'clock; the train does not leave Jersey City until ten o'clock. That man will put a truck on a ferry boat and run over there, and the freight house at Jersey City won't shut perhaps until 5:45. If he is shut out here, he will run over there at the landing, and he can get it on there, that is true, that has happened.

Q. How would that do with the midnight trade? How could we utilize the streets at certain hours? A. That never has happened, but it can happen; it can be brought about, but there is no reason why they should not truck from 6 p. m. until midnight, as well as from six a. m. to 12 o'clock noon.

By Chairman Van Benschoten:

Q. That is more or less one of those old customs? A. The express is handled that way, the expressmen leave over here about ten o'clock, after the wagons have collected or made their collections, and that could be extended to railroad freight. The reason it has not been is because, I guess, it is one of those stereotyped

old rules, that nobody has upset. The milk of New York comes in at 2:00 a. m., as you know, and it is distributed from 2:00 a. m. until morning.

By Commissioner Ainsworth:

Q. Let me paint a picture to you that has been painted to us, and see what objection you have to it, from a railroad standpoint.

Over on the Jersey meadows, a great distributing freight yard is constructed and owned by a terminal road. The city of New York is divided up into zones. At this distributing yard, the freight destined for these respective roads are shunted into a train, which comes across the river under a tunnel, and is then dropped at the distributing station by a connecting road on the West Side of the city, at the station in the particular zone to which it is consigned. This terminal road is constructed by all of the railroads now occupying the Jersey shore, and seeking to put the freight into New York and operating it as a terminal road, all of them are individually the owners. Can you see any objection to the handling of the commerce of New York on that scheme, and if so, what is it? A. Only one objection; it would work out perfectly, but there are terms to the fellows who built the railroad, which would be minus.

Q. That is your objection. Now, just give us something on which you base that opinion. A. Because this road would cost more to install in the first place, and operate, than they would get out of it. Their present method would appeal to them as being far preferable.

Q. That you have considered and studied, and arrived at that conclusion? A. No, I have not. I would not care to say that, but that is my offhand conclusion; as you painted your picture I was trying to keep up with you, when you think how much all that would cost, and I was running it up in the hundreds of millions of dollars, and I could not see where the returns were coming in on what package we brought here to New York, because after all, the volume is limited.

Q. It is about 2,000 cars a day? A. Not distributed on Manhattan Island, not distributed through that medium that takes in

New York, I take it, and building material would not necessarily take that route. It would naturally come down — a carload of brick from Haverstraw coming to New York would be all about that would come, it never would get on your railroad, and yet it figures on the statistics. The same way with coal. You would not be running coal that way — possibly you might, but those things, to that extent, I fancy your 2,000 carloads a day, if you will pardon me, is somewhat misleading. The actual merchandise, the stuff we bring in, and even consumed, is not 2,000 cars on Manhattan, might not be in Greater New York.

Q. I think the testimony is united in saying that there are about 2,000 cars floated over to Manhattan every day. A. It is presumptuous on my part, but I do not doubt that. As I say, there is a great part of it — yes, I do, I doubt that too — it is presumptuous on my part, but I am going to dispute those statistics, until I have proof to the contrary.

By Commissioner Todd:

Q. In order that we may make up some figures to satisfy ourselves as to that which would be more economical, can you give us the approximate cost to the New Jersey roads, of bringing freight over to New York? A. Now.

Q. Yes. A. I should say something like five — it is just my conjecture now. I have a dim recollection of some figures that have been sent to me, that the three cents which we receive, was only about three-fifths of the cost, and so I say five cents. You know what I am trying to say — we should get five cents where we get three.

Chairman Van Benschoten.— Five cents a hundred?

Q. Five cents a hundred? A. Yes.

By Commissioner Todd:

Q. And what is the approximate aggregate freight in weight that comes in a year, or month, or any other period? A. All roads?

Q. Yes. A. I could not tell you that. I presume those statistics are available, but I have not them in my head, even. I would be glad to give you those if you want them. They can be all here. I presume you have them in your files?

Judge Clark.— We have sent a questionnaire to your road, Mr. Underwood, which asks that.

The Witness.— That is a very easy problem to work out, and we would be glad to send it to you.

By Commissioner Beard:

Q. Mr. Underwood, is there not another element to be considered in computing the cost? It was stated here yesterday by a practical business man that a very large portion of our property on the West Side is dead and undeveloped, because of the lack of terminal facilities, of shipping and handling goods. You are perhaps acquainted with the state of the property along West street and Eleventh avenue and Tenth avenue, to count in this, if we had adequate terminal facilities, or larger terminal facilities, or double or treble the present ones for shipping goods, manufactured goods out on the West Side of New York, would not there be an immense increase in the value of the property, the taxable value of the property on the West Side? Might it not be worth while for the city, which would enjoy the benefit of this increase in income, or increase in the value of the property, might it not be worth while for the city to become a partner in such an enterprise. That is, is it fair to figure merely the cost of lighterage? There are other elements, are there not, in determining our view of the matter? A. Oh, yes, your view. I do not know, I do not think I ought to try to answer that question about what effect it would have on taxable property, because I do not know. Of course, if the city should create an instrument there, at a cost say of \$100,000,000, and then that should go into the assessment roll as having that value, and be taxed, you would have increased your taxable property in the budget, but would you have done any real good — fictitious value?

Q. Well, this is one of the greatest labor markets in the world, New York City with the most diversified kinds of labor — you can get almost any kind, and of any nationality. We are informed by business men that the West Side is not developed because of the difficulties in getting the freight in and out of the Island of Manhattan. Now, if the city of New York or the State of New York, by investing money in the provision of adequate facilities,

could make it attractive to business men to put their factories there, would not that be a real value added to the city? A. Undoubtedly it would.

Q. Let us see, your scheme would cost you \$100,000,000. You would want to figure 5 per cent on your \$100,000,000. It might be that the increase in the taxes of the property on the West Side would more than cover half your interest charges. A. Of course, you understand that I was taking that \$100,000,000 as a figure to talk from. It might be ten hundred million — I would not like to have it estimated at one hundred million, or anything like that.

Q. But whatever it was, ought we not to consider it? This Commission being a public body, we ought to consider it not only as a mere railroading proposition, but should consider it also in reference to their relations to the development of property values in Manhattan. A. Of course, that is more or less of a social question, but I am of the opinion that one of the causes for the nondeveloped West Side is, there was no housings over there, for factory people to live in. If you built a factory on the East river you are within a stone's throw of 100,000 people maybe, some of whom want to work in your factory. That was the logical thing to do.

If I was going to build a factory, and you and I were in the same business, and you were going to build, I might encourage you to build on the West Side — "I will stall him on labor." I might say it would cost five cents by cars, and I will take my pick of labor, and all those things come in, and I do not know enough to say why the West Side did not develop, but I venture from seeing the crowds of people running over the East Side, as you see them across Lafayette street, that is one reason. It is only lately you get more on Fifth avenue. Now, you see at noon hours, at nights, at six o'clock, there is an avalanche of people passing over on the East Side, and none going on the West Side. They do not live there. If they lived over there, there would be factories there, and if there are factories there, they will live there.

Q. The city is now embarking on the policy of laying out zones. The West Side might be absolutely controlled by public policy, might it not? A. It could.

Q. And the city might prevent congestion, as it really should do. These congested areas are not good for the health of the people? A. They certainly could do that.

By Chairman Van Benschoten:

Q. Mr. Underwood, as a railroad man, is it your opinion that anybody which may be called upon to study and solve this proposition, should take into consideration the conditions which may at times exist, such as our present weather conditions, as to the handling of freight, and the necessity of handling other freight across the river instead of by tunnel? A. Oh, yes; there is now—I am making this statement now—there are facilities enough now to bring the freight over to this side under ordinary normal conditions, but they are abnormal now, abnormal as regards labor, abnormal as regards bottoms, because the war has taken all the floats that we can have. We have got half, perhaps 25 per cent. of our floats lying around here loaded with stuff for ships that have not yet arrived. It has been loaded on them and you cannot take it back. The place that freight has been filled in on the Hudson float—it is a waste on the Hudson river, waiting for some ship to take it up, and the labor question is primarily important. Just now there is no water in Jersey City. That is a great thing for the city of New York to take care of. They had better run a main down from the Catskills, and perhaps there is a great part there now without water today, and if you gentlemen are in the insurance business, you are not very well pleased to think there is no pressure on the hydrants. We cannot operate a railroad without water; so practically today, the railroads over there are at a standstill, and have been since midnight, last evening, no water for their locomotives. There is that local situation, and that is reflected now today in New York, and in your papers, and will be for a week; but those things are all susceptible of cure, you know. They are abnormal things. That water supply of Jersey City will have to be attended to.

Q. But where a great city like the city of New York is to so large an extent dependent upon the outside world, not only for its daily consumption of food and coal, but for its raw material to manufactories, ought it, in these advanced days of progress and efficiency, be dependent upon water transportation, or ought

it not to have either vehicular or railroad subways, whichever may be considered to be the better, even in the water. A. I stated before, I think here to-day, that I would like to see a vehicular tunnel, the quicker the better, and the larger the better. It would be a great help and stimulate the water industry for one thing, would it not? It would be on its own right and an efficient thing, but New York has gotten so large, that it has, to a certain extent, gotten to be "its brother's keeper." Now, it is a bad thing for New York to be so dependent upon the shore front of New Jersey for everything that it wants, which you have just enumerated, and have such a breakdown of water supply. That is a very sad state of affairs. There is a chance for another "steal" you know.

By Commissioner Beard:

Q. Is your business interfered with much in the winter time by ice and fog? A. Ordinarily no, very little, very little ice, and sometimes a fog; they are rather more in the spring.

By Commissioner Stoddard:

Q. Mr. Underwood, if we had this vehicular tunnel, your responsibility for the freight then, would end at this classification yard back in the meadows? A. Well, that would necessarily be a matter of arrangement. If freight was billed, if we accepted freight billed through to New York, our responsibility would not end until we made delivery somewhere on the island of Manhattan.

Q. Yes, but what I am leading up to is, then your idea that the railroad would have some financial arrangement with the ownership or part ownership of these motor trucks that would deliver from store to store? A. I can imagine that the railroads would each have a complement of motor trucks, part of their equipment, and there would be, when making all this delivery, if you please—take the express companies, for example, their wagons would belong to the express companies, but the railroads would have their own trucks.

Q. A system that is more or less established, as I understand it, on the English railroads? A. Yes; there was at one time here and in Canada now, with good results. There was one here.

a store-to-store delivery in this country, and it was taken out, because it gave room for fraud, they thought, but that can be altered.

By Chairman Van Benschoten:

Q. Would you think it necessary, if such a plan as that were to be followed, to bring freight cars at all from New Jersey over here? A. Rare instances, a commodity that should not be transferred, or a commodity that should be handled only by skilled handlers, and bring it over here and let them take it, and take it to its destination, if it was going into some building, you know, some stone or some article that you did not want handled and rehandled—put it where it belongs and let the experts handle it, a very small percentage, though.

By Commissioner Ainsworth:

Q. Now, Mr. Underwood, there is no one who knows quite so well how to bring up children as does some maiden lady who has never married, and it is in evidence here that people who are not handling freight all have a theory as to how it should be done. From your large experience as head of a great freight handling road, I wish you would give us your idea of the proper way of doing that in New York, for all the railroads getting their freight over here. A. The first thing to do is to fill the Hudson river up solid. (Laughter.)

Q. I mean within the bounds of human possibility. A. I do not mean to be flippant, but the establishment—I mean to use that as an establishment, of a more perfect connection; that is all. It would be ideal if the Hudson river were not there. It would be ideal if the city of New York, if the city limits of New York could be extended a mile from the Jersey waterfront, then our troubles would be largely over, but here you have two states and two municipalities to deal with, and no way that human ingenuity can invent to get perfect communication. It may be under the water—it might be—I have often thought of a large pontoon bridge, as an immediate plan, you know, to be put into immediate effect—pontoon bridges across the Hudson, a large one. I can conceive closing the Hudson river on certain hours to navigation.

The great port of Liverpool and some other ports are closed, sometimes throughout certain tidal periods; now we have to have every little hooker that wants to come up and down this river, come when he pleases. I do not know whether he should or not. We might arrest him, and have certain hours. The city of New York closes the East river to navigation at certain hours, in the day, because the over-water traffic is far more important than the under-water traffic, and so, by the arrangement that you are familiar with, the War Department allows the drawbridges over the East river to be closed at certain hours. The War Department has refused that on the Hackensack river, so that you have the spectacle—that is my own private grievance, that every morning or two some fellow comes down with a brick scow about the area of this room, and he drifts into the drawbridge, and we are obliged to open for him, and ten thousand people are delayed from coming to New York. That is the War Department that has charge of the Hackensack river. That is also the War Department that has charge of the East river. You can imagine that state of affairs coming in and happening on the New York Central, if you please—whenever uses those bridges over the Harlem river there. Now, those things—it does not matter; I still think that my classification station over on the other side, and then bringing it over to Manhattan island by steam or other cars, in some instances, and by vehicular trucks always, and supplemented by the water service. There is a certain traffic that originates on the water and comes directly by water here. You do not want it a thousand feet inland or two thousand feet; you want it on the waterfront, that can always be borne over by water.

By Chairman Van Benschoten:

Q. What do you refer to by that? What class of freight is that? A. For instance, there is an abbatoir somewhere on 59th street. They do not want their livestock brought on floats and we do not want it going through the streets of New York. We do not want the smell of it, and it is landed on the pier head and runs into their slaughter house, and that is a sample. There are numerous things that I can enumerate that do not belong in here. There will always be a water-borne traffic, as long as there is water to carry it.

By Judge Clark:

Q. You have considerable freight for Queens county in Brooklyn? A. Oh, yes.

Q. Which you handle by lighters? A. We have a station at Wallabout and there at Newtown creek, and come to the Bush terminal.

Q. Would it save your road if you had a freight tunnel to cross the city to some point in Long Island, for distribution purposes over there? A. Yes, if we could use it. That would all depend on the basis of use. Of course, the Erie railroad could not afford, had it all the money in the world, as a commercial proposition it could not afford to build a lone tunnel over there, which would not capitalize.

Q. No; I am referring to a joint convenience. A. Yes; that would apply to any terminal, any railroad over there, it would not capitalize. There has got to be some incentive, some financial process that I have never heard of yet, promulgated.

Q. But you would use it if it were financially feasible? A. Oh, yes.

Q. And in the same way you would turn down the marginal way on Tenth avenue or Eleventh avenue or some place? A. Yes; we could use it and should be made to use it, if necessary, and up to the extent of our present costs, that ought to be our participation in it, did not it—excuse me for asking you.

Q. You think you would be willing to, on those conditions? A. I do not see why we should not. If we could divert our traffic to that medium, distribute it through that medium, and without any increase in cost, we should welcome that, the actual cost to us in cents per 100.

By Commissioner Stoddard:

Q. Because it would be more efficient service? A. Oh, yes; and it would save us some complications you know we now have.

By Commissioner Ainsworth:

Q. The thing that astonishes me is that we do not get any railroad plan that looks into this problem and sees anything beyond a scow or boat to bring the stuff over, and if it is impracticable, if that is the best method, I am rather inclined to think

that possibly it is, because everybody who knows anything about it, who is engaged in the business, seems to be united in that theory. That is the cheapest way to do it. A. As yet discovered, sir, there are some things besides cheapness. I do not know—of course, we all have respect for scows, because they made us scow away from Buffalo to New York, for \$150, and we have all respect for that. It is a tenet of our faith—I speak of all railroad men—improving waterways. I have my own views about that which would not be interesting here, but I have not much respect for a scow myself.

Q. What? A. I have not a great deal of respect for a scow myself, as an individual. Of course, I assure you as a taxpayer and as a citizen, I am carried away with admiration about the Barge canal, and a few things like that; they are good to talk about.

Q. I see they have sufficient merits, so that the government is now considering equipping them, because private capital does not. A. That is the only way they can arrive at it. You would not put any—if I had a counterfeit machine that I could pass money with, I would not go into the barge business on the canal.

Q. On account of— A. On account of two reasons. There are six months' navigation, and the cost of freight handling, which seems to have escaped everybody's notice—the Mississippi river is in the same way—if I can take your time now, I might as well get it out of my mind, about waterway.

Q. Glad to hear it. A. Because we are all running out on waterways. I will take a railroad from Buffalo to New York and make the rate two and one-half mills a ton-mile on it, and no canal boat can live on it, and put all the canals out of business. If the State of New York had built a low grade of railroad from Buffalo for \$150,000,000, they would have something today to do things with. Now, they have a promise of a canal, and they are thinking of putting some barges on it, but by the time they put some barges on it, the canal will be obsolete. By the time you pay dock handlers forty cents an hour to stock up the freight on it there, they will have eaten up all your profits. They cannot collect any of it. It has not any power of collection. It cannot attract to itself any freight. There is the dream of the Mississippi river about it, the dock, the ships, the boats. Mr. Hill said

once—in his own style he said—“You can lathe and plaster the bottom of the river, and make it as nice as you please, and have a uniform stage of water in its slips, and you will die at it.” And he spoke the truth, and nobody believed it, but he happened to have a railroad; he was a steamboat man before a railroad man, and was a student above all others, and no high pressure steamer, no waterway can live in competition with the railroad, until the haul gets to be more than one thousand miles. I would like to put that in the school books. That is true, and has been proven. It was proven on the Great Lakes, when the steamboat business on the Great Lakes, between Chicago and Buffalo is dead. They are living between Duluth and Chicago, because the distance is greater, and because the commodities that go to Duluth can take a steamer, but there were five lines of steamers between Buffalo and Chicago, that have been taken out.

Q. The distance, but it is very little more is it not, to Duluth?

A. That comes in my thousand miles, the commodity—in other words, the transportation of merchandise freight between Buffalo, by the aid of the Erie canal—will never come to anything. There will never be any more boats—“never,” is a long word, but there will never be any more merchandise boats between Buffalo and Chicago, and when the Lackawanna railroad had a line of boats that they ran there for thirty-five years, the Erie had a line of boats, the Pennsylvania and the New York Central had a line of boats, and the Central of Vermont had a line of boats, and the Grand Trunk, and that is about all I can remember now, they all died a natural death, and their dock property in Milwaukee and Chicago is rotting today, because the government gave them the last touch by taking their boats, which is a God-send to these several companies—by taking their boats. But that was an example of modern steamships, of twenty-one feet draught of water, and could not live on the merchandise that was carried from Chicago to Buffalo, and the merchandise rate was two and one-half cents a hundred more than that of the railroad, and the boats starved on it; and the Erie railroad, I am ashamed to say how much I spent for them on this problem, and we lost anywhere from \$300 to \$1,000 a year, and we charged the boats nothing. We made no dock charges at Buffalo. We

owned the docks and we treated the boat the same as the farmer treats his oxen that he does not charge anything.

By Commissioner Ainsworth:

Q. That is a very interesting statement. A. It is right before us now. The Lackawanna sold out first. They were wiser than any of us. The rest of us struggled on and on, thinking we will make money.

I remember the last figure I saw on the individual steamboat was that she lost \$68,000 between Buffalo and Chicago in one year, and did not have any bad luck — just lost it. Well, what contributed to it, you will say. The wages of the men went up, the manning of the steamers went up, the price of coal went up, and the cost of supplies went up, and rents went up and taxes went up — the whole thing, and the cost of labor, the freight handlers' wages went from 17 cents an hour to about 40 cents, and that finished us. That was the coup de grace; and in spite of that, we built a barge canal. It is not policy for me to sit here and say the Barge canal is not good for anything, because they say it is a railroad between Buffalo and New York.

Q. That is a very convincing demonstration by a man who knows, because he has had experience. I wish we could get a like detailed explanation or statement of the reasons that convince you that the scow is still the best on the Hudson river between here and Jersey City. A. It is the best available. I would like to hear Mr. Lynch's testimony. I talked to Mr. Stoddard — if you will excuse me — Mr. Lynch was really the man who converted me to the scow lighterage plan.

By Commissioner Stoddard:

Q. So I understood you to say. A. He did, he converted me.

Q. I do not know whether he was as convincing with the Commission as he was with you, but he was pretty fixed in his views. A. Of course, what I said about the traffic on the Great Lakes is graphic, but you might substantiate it, if, you care to have more witnesses. You can put the President of the Lehigh Valley, Mr. Loomis, on the stand. I think he will corroborate me, because they were running boats as late as this season, which is last past. We went out two years ago. We have been out two years. The

Lehigh Valley have run their boats up to August or September, and I think the government commandeered them. I am not in the inner circles of the Lehigh Valley, but I venture to say there was a little thanksgiving when they did it.

By Commissioner Todd:

Q. Mr. Underwood, when you are indicating what you thought was the ideal, you wanted to fill up the Hudson river, I assume you wanted to do that so that you could run your tracks right over into New York City? A. Oh, no; New York City would come over there without any trouble and get their stuff. (Laughter). We want to keep away from all the aldermen and all those fellows that want to regulate fellows here. We would say "Here is a station, and a nice boulevard to it; drive over." We do not have any notion of coming over. We want the mountain to come to Mahomet that time.

Q. What you want to do,—in any way you move you want to get the railroad tracks to end where you want to deliver your goods, don't you? A. As near as possible, yes.

Q. And not being able probably to fill up the Hudson, won't you best accomplish that by tunneling under the river? A. I am not opposed to that. Yes, that is a way; that is a way.

Q. That is a way; let us see if it is not the best way. Your objection to that was, as I understand it, the expense? A. Possibly yes, the possible expense.

Q. Now, take your own road; what does it cost you a year approximately to deliver your freight over here in New York from New Jersey? A. Oh, well, I should think—I should speculate—I should have brought those statistics with me, but I will furnish you with the papers, but we will say approximately a million and a half dollars.

Q. Well now, when you capitalize that one some fair figure, that would give how much money, as the share of your railroad toward the construction of the tunnels? A. Well, that depends somewhat on the price of money; that is something a man could not figure here. It would be about five per cent.

By Commissioner Beard:

Q. Thirty million dollars? A. Thirty million dollars.

Q. Five per cent on thirty million? A. Yes.

By Commissioner Todd:

Q. How many railroads are there in New Jersey that would want like facilities as your road? A. Start in with the Central of New Jersey, and its affiliated lines, the Baltimore & Ohio, that makes two; the Pennsylvania, three or four, the Lackawanna, five; and the Lehigh Valley, six; and the West Shore, seven — I do not think I have left out any.

Q. So that would be seven times fifty million? A. If fifty millions would do.

Chairman Van Benschoten.— Seven times thirty millions.

Q. Seven times thirty millions; that would be over two hundred millions of dollars; don't you think that would cover the expense of the construction of the tunnels? A. That is an engineering problem. You could not estimate on it. That has been worked out, but admit that it would — yes.

Q. But would it not largely, and more than cover? A. Yes. I admit all that; that is not my trouble; my trouble is to do with all this stuff, when you get it all through one tunnel.

Q. But you could have several tunnels, could not you? A. Yes.

Q. And you would have to have several tunnels, would not you? A. Yes.

Q. And they would come within that expense, would not they? A. To make it effective, you would have to have enough.

Q. And they would have to come within that two hundred million dollars, would not they? A. I am not going to guess on the cost of the tunnel under the Hudson river. Now, there are too many records. I do not want to put my guess up against their records.

Q. What I am trying to get at is the approximate figure. A. Take your own figures; do anything you like with them. You are now, as I understand it, bringing all your freight over on Manhattan Island, and you are dealing with Brooklyn or the Bronx and Manhattan Island has about reached its maximum, has it not, for population?

Q. Well, perhaps so; but what I am trying to find out is what your real objection is. A. I have not any.

Q. But you said it was a question of expense? A. Yes.

Q. It seems to me that is explained when you get into these figures. A. I am not going to make any figures, because there are figures made, and I believe you can make a playhouse of figures. I am not objecting to it at all. My mind is perfectly open; and I saw now that any railroad that I have anything to do with would go into it gladly, if it did not cost too much, and if it was not too much of a luxury.

Q. When you say does not cost too much, you mean it would cost the Erie railroad more to deliver your freight than it does under the present conditions; is not that what you mean? A. Yes, and, for instance, I will tell you what I mean by costing too much. The United States Government, and the two railroads built a very expensive terminal in Washington. You have seen the Baltimore & Ohio railroad on which I happened to be at that time, was a participant in that tunnel. They paid the Baltimore & Ohio 38 cents for every passenger that landed in it, they did. I do not know what the statistics are now, but in normal times they paid 38 cents. That average revenue for the passengers that went through the station was 36. They have contributed all their haulage on the passenger, and two cents additional for the sake of having that large terminal. Now, you can defend that just as well as I can. It was not a very desirable state of affairs for a terminal, but they had to put up with it. It is just that sort of thing I want to avoid here. My mind is perfectly open, but I would not want to permit my company to be paying away all their haulage, to say nothing of profit on the freight they brought to New York, by going into a terminal scheme that would bring that about.

By Chairman Van Benschoten:

Q. Assuming, Mr. Underwood, that it cost you five cents a hundred now, I think you have made that estimate? A. That is the bare cost.

Q. That is the bare cost; you will not consider that it was too expensive, that any plan was too expensive, which did not cost you more than five cents a hundred? A. I certainly would not, of course when I said my estimate —

Q. That is an estimate purely, yes. A. But wherever it landed, we ought to do that.

Chairman Van Benschoten.—Are there any further questions?

By Judge Clark:

Q. Mr. Underwood, considering outgoing freight, we are told on many terminals along the waterfront there is great congestion of traffic; does the Erie railroad experience difficulty of that kind? A. Oh, yes.

Q. So that perhaps several hours of the truckman's time may be occupied by delivering freight? A. Yes.

Q. How long has that condition existed, since the European war? A. And sometimes in the years before that.

Q. And sometimes during the year? A. Sometimes during the year there comes a congestion of freight.

Q. That comes every year, and has for some years past? A. Yes; I think every year, so far as the Erie railroad is concerned. Of course, our facilities are inadequate, really.

Q. And this, of course, is admittedly a tax on the shipper? A. Yes; a tax on the shipper, that is waste.

Q. You say for two decades, the freight rates at present existing have been enforced perhaps? A. Yes, with some variations, yes; what I meant to say was, Judge, is that there has been no competition in rates for two decades.

Q. And during about that same length of time, this same congested condition has existed? A. I think so. I speak for 15 years. I have been in New York 15 years, and it has always existed here. On the Erie railroad it has always existed, and it was the fault of the Erie railroad it did exist.

Q. And that exists on the other roads in about the same way. A. I would not like to say. They may have better facilities. It is the fault of the Erie railroad that those facilities were not improved and worked up. As I stated earlier in the day, but 50 per cent of their capacity — it was their fault.

Q. So that it would not be unreasonable — a statement has been made to us that for twenty years past there has been great congestion of trucks and delay in shipments, all of it on all of our railroads running from the Jersey shore, and also from the New York Central, which have been imposing a tax upon shippers for the cost of that delay, that statement has been made to us. A. That statement has been made?

Q. That statement has been made, and apparently does not seem unreasonable from your statement. A. I have no doubt it is correct, with the possible exception of the New York Central railroad. They have a large freight station down — I do not know where it is — down in the vicinity of Hudson street, but they differ in that from any other railroad. None of the rest of us have anything like that; whether they had a truck congestion I do not know, but every other railroad, that is just on the waterfront, that had not any interior accommodations, they have been congested, I am quite sure, although I speak from the knowledge of 15 years they have for 15 years.

Q. That condition has existed for 15 years, and so far as you know, the railroads from the Jersey shore are not making any plan to remedy that situation; is that correct? A. Well, the Erie railroad has not made any; I do not know what the others are doing. They may have enlarged their facilities; I do not know. They may have gotten more piers.

Q. Looking at it from the point of view of a citizen, and not from the railroad, apparently, then, we are up against a situation that is a tax and an imposition on the citizens of New York, with no relief being in sight, except by the authorities, is that about it, Mr. Underwood? A. I do not quite get that.

Q. Well, looking at it from the point of view of a citizen and not the railroad, we are up against the situation that it is a tax upon the citizens, which increases the cost of living, and congests our streets, without any plan of relief being considered or suggested by the operating railroads. A. You are right in your proposition, that the citizens of New York — you have stated it; I need not repeat it. And now about the railroads having to offer, that I do not know about; we have not anything to offer.

Q. Well, then, it does seem time that the citizens of this city and of the State should consider this matter, does it not, Mr. Underwood? A. I think it is. I think it is high time that they did.

Chairman Van Benschoten.—Any further questions?

By Commissioner Stoddard:

Q. You are in a mood to co-operate, if they have a practical plan? A. We are in a mood to co-operate. I feel that we owe

more — we owe a great deal to the public that patronizes us. We have to submerge the rights of our shareholders in many instances, and have in the past, and probably will in the future, to the rights of the public. The public has got to be served first, and if there is anything left for the shareholders, that is to their everlasting credit, but the Erie railroad has served the public for several years now, with more or less efficiency, and the shareholders have had nothing to do but whistle down the line for their money, and it serves them right enough; I am not crying for them particularly, but it is the first duty of the railroad to serve the public. If you do not serve the public, sometime in the near future, it may make —

Q. There may be some few of your shareholders who would like to have a dividend now and then. A. Some few of them would not like to hear me make this statement. I am an unfortunate shareholder myself.

Q. I am with you.

Chairman Van Benschoten.— If there are no further questions, we will adjourn. We want to thank you, Mr. Underwood, for coming to us this afternoon and giving us the benefit of your suggestions and advice.

The Witness.— I am very sorry; I owe you an apology because I could not throw any light upon the situation. I did not have any time. I had nothing prepared, and I had not any idea of what you wanted to know, but I am glad to have been put on the stand in time to have given some views of my own that do not belong to any railroad or corporation, and I am first of all, an American citizen.

Chairman Van Benschoten.— You are the kind of a man we want nowadays.

We will adjourn until to-morrow afternoon at 2 o'clock in the library of the Chamber of Commerce, when it will be an open meeting for anyone who desires to make suggestions, and present views to the Commission.

On Wednesday afternoon, at 2 o'clock, Comptroller Craig will appear as a witness in the Chamber of Commerce.

(Whereupon, at 3:45 o'clock P. M. an adjournment was taken to Friday, January 4, 1918, at 2 o'clock P. M.)

WEST SIDE COMMISSION

LIBRARY, CHAMBER OF COMMERCE, NEW YORK CITY

January 4, 1918, 2 P. M.

Parties met pursuant to adjournment.

PRESENT:

Chairman Van Benschoten, Commissioner Beard, Commissioner Ainsworth, Commissioner Todd, Commissioner Stoddard, Commissioner Miller; Judge Clark and Secretary Niles.

Chairman Van Benschoten called the meeting to order at 2:20 P. M.

Judge Clark.—Mr. Chairman, I present a memorandum submitted on behalf of the Joint Conference Committee to the Board of Estimate and Apportionment, in support of the repeal of the ordinance of 1847. This memorandum refers to the calendar of the Board of Estimate and Apportionment for November 30, 1917, and is presented simply for the purpose of showing the attitude of the Public Service Commission in the matter.

Chairman Van Benschoten.—We will receive it and mark it as an exhibit.

(Paper referred to marked "Commission's Exhibit No. 33.")

Chairman Van Benschoten.—As has been announced before, this is a public hearing at which we will be glad to hear from anybody present; and, necessarily, as you can well understand, we have to impose a time limit, and we are limiting each speaker to ten minutes.

We have received two or three communications in regard to the meeting, and I will ask our counsel to read them upon the record at this time.

Judge Clark.— I have a letter addressed to the Secretary of the Commission from the Chamber of Commerce, as follows:

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK
65 Liberty Street, New York

January 4, 1918.

MR. T. E. NILES, Secretary, Commission on West Side Improvement, 149 Broadway, City:

Dear Mr. Niles.— I beg to acknowledge receipt of your communication of December 29 in relation to the public hearing on the problem of properly locating the tracks of the New York Central through Riverside Park and along the west side. By direction of President Outerbridge, I am sending you herewith a copy of a report on the New York Central west side plans, which was adopted, with but one dissenting vote, at a meeting of the Chamber of Commerce held June 30, 1916. Mr. Outerbridge suggests that this report be entered on the records of the proceedings of the hearing, for the consideration of the Commission.

I am also sending for the use of the Commission copies of our June and July 16 Bulletins, in which appear the debates at meetings of the Chamber of Commerce on west side Manhattan terminals and New York Central west side plans.

Yours very truly,

(Signed) JERE D. TAMBLYN,
Assistant Secretary.

I ask that the documents referred to in the latter be filed with the Commission.

Chairman Van Benschoten.— It is so ordered; the papers will be filed.

Judge Clark.— I have also a letter dated January 4, 1918, from the American Scenic and Historic Preservation Society as follows:

THE AMERICAN SCENIC AND HISTORIC PRESERVATION SOCIETY
The Tribune Building, New York City

January 4, 1918.

HON. WILLIAM B. VAN BENSCHOTEN, Chairman of the West Side
Improvement Commission, 45 Cedar Street, City:

Dear Sir.—At the request of the President, Dr. Kunz, I send you herewith two copies of Annual Reports of this Society to the Legislature of the State of New York.

In the Report for 1913, at pages 401–499, you will find a paper by Dr. Kunz on tunnels under the Hudson river, as offering a relief from the need for trackage on Manhattan Island.

In the report for 1917, at pages 253–285, you will find a review of the West Side situation, which, while it may contain nothing with which you are not already acquainted, may be of some value to you for reference.

Dr. Kunz also hopes that you may find other matters of interest in these volumes.

Yours very truly,
(Signed) EDWARD HAGAMAN HALL,
Secretary.

I ask that these documents be filed in connection with this.

Chairman Van Benschoten.—It is so ordered, and they will be filed.

The practice we will follow this afternoon will not be to swear those appearing as witnesses, as it is understood that it is only the presentation of a statement by way of argument on the part of each speaker, and therefore the form used in taking regular testimony will not be followed.

I will ask Mr. Calvin Tomkins to make any statement he wishes at this time.

Mr. Calvin Tomkins.—I believe my vote was the one recorded against the report of the Chamber of Commerce, which has just been referred to.

I would like to present at this time, Mr. Chairman and gentlemen of the Commission, two letters from Mr. Samuel Rea,

President of the Pennsylvania Railroad Company, which he has given me permission to make public, and which have just been received. It is illustrative of the advantages of tunnel communication with the New Jersey mainland under the ice conditions which now maintain.

The first one refers to the conditions at the Pennsylvania Railway passenger terminal, and is as follows:

THE PENNSYLVANIA RAILROAD COMPANY

OFFICE OF THE PRESIDENT

BROAD STREET STATION

PHILADELPHIA, *December 27, 1917.*

Mr. Calvin Tomkins,

30 Church Street, New York City.

Dear Mr. Tomkins.—Thanks for your letter of the 20th instant. While the Pennsylvania R. R. Co., alone built the New York Terminal it is a great mistake to regard it for that Company's use alone. It is practically a terminus for our various lines, which are collectively equal to a six-track system. In addition the trains of the Long Island Railroad, one of the largest passenger carriers in the country, use that station, and those of the New Haven Company are also to go in there. Further, the traffic of six of the southern roads are operated to and from that station, so that while to the public it is the Pennsylvania Railroad terminal, it really serves as a terminus for what would be practically ten double-tracked railroad systems. It is very easy to point out theoretically the great benefits that would arise from the common use of terminals, but here is one that is supposed to be exclusive, and yet the above facts show how far it is from being an exclusive terminal. Most of our large terminals, like Broad Street Station, Philadelphia—also assumed to be an exclusive terminal—accommodate six double-tracked railroads from the various directions in which our system runs, all of them at some time in their history being independent lines. In other cities, notably Chicago, and elsewhere in the west, the joint use of passenger terminals is, of course, the regular thing.

Now, as to freight terminals, in times like the present, the

common use of such terminals is impossible, on the Pennsylvania System, because those we have do not accommodate our own traffic, and in many cases are not adapted for the orderly or economical handling of the traffic of other lines without an entire rebuilding of the lines and approaches of other companies into and out of our yards. Therefore, we practically get to a situation in which in dull times there is terminal capacity available, and it looks as if it were being wasted, but that occurs in every other kind of business in the slack periods. Therefore, with some exceptions, which apply to your own city, I doubt if we have anything like enough terminals to economically handle and deal with the entire traffic of the country. There is one place, however, that I can think of at the moment where it would seem advantageous to have common use of terminals, and that is on the waterfront in your own city, where in so many cases the terminals have to be reached by breaking the rail journey and having the traffic transported by floats to and from these piers and warehouses, and where with the tremendous ship cargoes, a common use of terminals and floating equipment might be beneficial.

Yours very truly,

(Signed) SAMUEL REA,

President.

I would say that James J. Hill, told me and he has publicly said so, that the railroad business was breaking down at its city terminals, due to individual roads expanding to meet increased business.

I have also a letter from Broad Street Station from Mr. Rea, dated January 3, 1918, as follows:

THE PENNSYLVANIA RAILROAD COMPANY

OFFICE OF THE PRESIDENT

BROAD STREET STATION

PHILADELPHIA, *January 3, 1918.*

Mr. Calvin Tomkins,

30 Church Street, New York City.

Dear Mr. Tomkins.—While our New York tunnels were built primarily for the passenger traffic, you may remember that when

the question of a franchise was being considered, I declined to take a franchise confined exclusively to passenger traffic, for the reason that the companies building the line were chartered to carry persons and property, and I did not feel that we had any right to restrict their charters, nor did I believe we should commit ourselves against the emergency use of the tunnel for freight in the future. The time has come now when such use can be made in a small way with great advantage to the city. Owing to the extraordinary conditions now prevailing due to the cold weather, and notwithstanding the fact that until recently there were ample facilities for transporting coal to New England via the Harlem River route, the suffering in Manhattan, Queens and Brooklyn is very great, and therefore we put 67 cars through our passenger tunnels and station to Long Island and Brooklyn, and others will be moved as occasion requires. This is an extraordinary movement, because you understand that the whole extension into and through New York was built primarily for passenger business, and therefore, we have no freight yards or other facilities for marshalling the freight on the Jersey side and delivering it on the Long Island side, but it is an emergency which must be met and we are doing it to the best of our ability.

Yours very truly,
(Signed) SAMUEL REA,
President.

The same conditions only in a less acute and less dramatic way, are continually operating in New York as discriminating against the industries and the commerce of this city and State. So long as the present method of carfloats transfer obtains between New York and New Jersey, there is the possibility of this dislocation, and a heavy expense.

Chairman Van Benschoten.—Our next speaker is Mr. F. B. DeBerard.

Mr. F. B. DeBerard.—Mr. Chairman and gentlemen: I represent the Merchants' Association of New York City. Our understanding of the scope of this inquiry until recently was that it

was confined solely to the consideration of the adjustment of the West Side tracks of the New York Central Railroad. Upon that point we have but little to say.

The association through its committee made a protracted and very careful study of that whole subject, and the views of the association were embodied in a report bearing date June 1, 1916, approving at that time the proposed agreement between the city of New York and the New York Central Railroad.

Under date of March 10, 1917, the board of directors reaffirmed their previous position and urged the board of estimate and apportionment to conclude the agreement then pending in its final suggestion. The association sees no occasion whatever to recede from the position formerly taken by it as to the desirability of the adjustment then proposed; but it has since been suspended or abandoned.

Chairman Van Benschoten.—You think the change of conditions made since then makes no difference?

Mr. DeBerard.—Makes no difference. Our views in connection with the New York Central Railroad were matured in the light of a larger and comprehensive study of the whole problem of port development. Our conclusion at that time was that the New York Central situation was one which might be settled with only a certain reference to the larger problem; that the New York Central problem was one that in very large part stood by itself; but provided that the plans for the New York Central improvement did not preclude a comprehensive treatment of the remainder of the problem, that it might well be disposed of by itself. In our opinion the plan accepted by the committee of the board of estimate and apportionment made proper provision for comprehensive treatment of the remainder of the problem; and, therefore, there was no valid reason for not concluding an agreement with the New York Central Railroad if the city found the terms acceptable.

I will leave with you the two reports I speak of, which will show the reason why the Merchants' Association has favored, and still favors, the plan proposed by the port and terminal committee of the board of estimate and apportionment. But

as I understand the inquiry of this present Committee has assumed a wider scope, and it is now willing to take under consideration the larger aspects of the development of the port of New York as a whole, I will make a few remarks on that point.

It is a fact well known to anyone who has had contact with large business affairs in this city, that the city is very badly handicapped by the defective and inefficient terminal facilities that the majority of the railroads ending in this city now provide. The cost of terminal handling in the city of New York is not excessive. The streets are very badly congested by reason of the long haul, the number of vehicles required incident to the long haul; the inability of vehicles offering or receiving freight at the waterfront terminals to obtain access to the loading and unloading platforms within a reasonable time; so that a delay of several hours — sometimes a whole day — in taking and receiving freight is not uncommon. All of the streets leading to those waterfront terminals are very badly congested during business hours.

It requires no argument to show that packages which require the services of a driver, and sometimes a helper and two horses and a truck, merely to convey them from a factory or warehouse to the railroad station, involve a very material transportation or expense charge upon the handling of those commodities.

Commissioner Stoddard.— Did you ever reduce that to figures in any way in your association?

Mr. DeBerard.— We never have been able to make any satisfactory computations which would show the amount of such expense. I will say, however, that a statement has been made by Mr. Samuel O. Dunn, Editor of the Railway Age Gazette, published in Chicago, and quoted in John F. Drogue's book on Terminal Stations. The statement is to the effect that the cost of terminal handling on freight between the warehouse and the car upon which it moves, is several times greater than the cost of hauling that freight a distance of about one thousand miles. I understand Mr. O. Dunn on that statement said it was more an expression of opinion than a statement of concrete fact, but it represented his belief, as a result of a long study of this situation.

Commissioner Stoddard.— In this city?

Mr. DeBerard.— In this city. That is the concurrent opinion of very many well-equipped and well-informed traffic men and students of transportation, that the terminal cost incident to bad terminal arrangement is frequently, and usually, more than the actual cost of the rail transportation in a majority of cases, and in all cases of short haul.

Commissioner Stoddard.— Did he endeavor to compare the cost of handling in New York with like cost at Chicago, Baltimore, Philadelphia and other cities?

Mr. DeBerard.— There is a general discussion of costs in that book.

Commissioner Stoddard.— Do you recall what it showed as to how the costs in this city compared with those in other cities?

Mr. DeBerard.— It is usually materially greater because of the poorer facilities provided here, and by reason of no facilities being provided by the railroads, each railroad operating its own waterfloats and involving wastage in many respects.

Let us assume that the Lackawanna railroad has six terminal stations in Brooklyn and on Manhattan Island—I do not recall the exact number but that will do for purpose of illustration. It starts its car floats out from each station at the cost of the day's business. The car floats may have on them only one-half the number of cars they are capable of carrying. Each car may be loaded with package freight, l. c. l. freight. It may be only half loaded. The result is there will be put in a train leaving Jersey City about nine o'clock in the evening, 20 or 30 cars, some half loaded and some loaded only a quarter, by reason of the fact that the freight is destined to go on a certain train, each car is loaded to only one-half its capacity, and the train hauls but one-half its load, and the road derives but one-half the revenue it should have. It involves a wasteful outlay and the use of needless cars by reason of lack of intensive loading, and intensive train service. All of those losses are reflected in the rates which shippers have to pay. The extent to which that practice has hitherto prevailed is well illustrated by the present existing congestion. The railroads have

in the immediate past generally refused to move less than carload freight except on specified days of the week, in order that such shipments may accumulate and permit intensive loading of the cars with the result that there has been an increase in the tonnage actually moved by a given car shipment. The car equipment has been minimized by a more intensive use of the cars.

Now, as regards the shipments from New York, a large part of the trouble in moving half loaded cars has arisen from that method I have spoken of, moving half loaded cars from several terminals and not assembling them in Jersey City.

Chairman Van Benschoten.— That is the fault in the method of handling freight, rather than in the character of the terminal.

Mr. DeBerard.— The difficulty is the operation by each railroad, independent of other roads, of its own facilities. It is unable to use its own facilities to more than one-half their capacity.

Now, assuming a station, say three hundred miles distant from New York, that may be reached by perhaps four different roads leaving New York. Each one of those roads having freight for that point, and each having freight in half-loaded cars, due to lack of proper classification and common-handling in the port of New York, consider what that will give you. That feature imposes a loss on the railroads. The revenues of the roads could be largely increased by better terminals. The railroads until recently have admitted the deficiencies of the terminal system in New York.

Chairman Van Benschoten.— We are limited today, in point of time.

Mr. DeBerard.— I wish particularly now to speak of the change in methods, and the reasons for such changes. The common-handling of freight into New York through the medium of a terminal company which should serve all of the railroads entering New York from New Jersey, would permit the elimination of the bad methods incident to separate operation by the several roads.

Mr. Shonts yesterday indicated in a general way the proposition of a classification yard in New Jersey, at which point there

should be turned over to the terminal all the freight entering the city of New York or leaving the city of New York; a terminal serving all of the union terminal stations which may be provided at various points on Manhattan Island, in Brooklyn, at Long Island City and in the Bronx, to reach either by tunnel or by a systemization of the present method of carfloats, in either case rendering necessary and desirable a terminal waterfront road to afford means of communication between the respective stations, and zoning of the city to determine the location of the terminals to be provided for common use; so that shipments and receipts of freight could be made at any point, and at any one of those stations for any point in the country.

That proposition was submitted to a meeting of the chief executive officials of all the trunk lines entering New York City, with the exception of the New York, New Haven & Hartford Railroad, and a committee representing the Chamber of Commerce and the Merchants' Association in 1901, that proposition recommended itself to them and a formal letter was received from the trunk line people stating concurrence in the proposition and joining the Commission in the recommendation to the authorities to appoint a board of three engineers to collect the data with respect to the question. And proper plans were, with estimates of cost, to be submitted to the Terminal Committee of the Board of Estimate and Apportionment, with a view to cooperating with the city to bring about reconstruction of the city's terminal system.

At that time we urged upon the city authorities that while the investigation and formulation of plans might well be a city function, the actual carrying out was on the railroad companies; such a scheme could not be brought about without the active co-operation of the railroads, as it required surrender by each of the railroads of the exclusive privileges they now enjoy.

Commissioner Ainsworth.—What was done with the recommendation that a board be appointed by the Board of Estimate and Apportionment?

Mr. DeBerard.—The Board of Estimate approved the plans and passed a resolution authorizing the ratification of the appointment of the board of engineers named, to make a study and sub-

mit it to the Board of Estimate and Apportionment; but no appropriation was made then. Later, plans were made to provide the necessary funds. Meantime a vigorous fight arose as to the New York Central, and the Board deferred action as to the Commission of Engineers which was proposed.

The Committee of Engineers was headed by John F. Stevens.

Chairman Van Benschoten.—The mere incident, that such a plan as that is favorably considered by the Merchants' Association, entitles it to be considered by us.

Mr. DeBerard.—It is not only favorably considered, but urged as necessary to preserve, to say nothing of expanding, the commercial utility of this port.

Chairman Van Benschoten.—Our next speaker is Mr. W. E. D. Stokes.

Mr. W. E. D. Stokes.—Mr. Chairman and Commissioners: I started to build and develop the West Side in 1888, but at that time you could have shot off a cannon up in this territory and it would not have struck anything except at 71st and 83d street. I spent \$20,000 of my own money to restrict that district from tenement houses, and the particular property I own in this world is located in that district; so I speak of my own property.

I organized the West End Association and I feel that I can say a few words with respect to the West Side and the Riverside improvement. In the first place, I say to you, look after the commercial end of this city first. Look after its manufacturing interests, first. Look after its shipping interests, first. If you do not do that, what is the use of our having property on the West Side for residences. All the people will go away if there is no business. I will make the claim that if it were not for the high prices during the war business now coming to New York would leave. I can prove that the business of the New York Central is falling off because of the difficulty of handling it. Two hundred and fifty cars are to report to Governors island, and then can only use ten of them a day. I am interested in a railroad, a very small one, with about forty miles of feeders. I can

bring my coal into the city where my central station is by a route thirty-six miles long; but I have to bring it two hundred and fifty owing to present railroad methods.

If you will go with me to the West Side, or to the shipping district on the East Side, you will see you cannot deliver one carload of goods at a dock in a day. If you do, you can do well. I am in with the trucking men, and they tell me they have had their horses frozen on the docks getting a carload in a day. When Mayor Grant was elected I made him come up and live on the West Side by seeing that he got a piece of land at the proper price.

Chairman Van Benschoten.—What was that date?

Mr. Stokes.—1884 or 1888, I have forgotten which now.

Chairman Van Benschoten.—1888 I think it was.

Mr. Stokes.—Well, I got Mayor Grant near me, and I got his ear without a lot of politicians around him, and I prepared a part of his message which he proposed to send out on January 1st of that year, and that message up to the date of delivery would have gone out except for politics. The political organization he represented said, "Grant, if you spend all the money Stokes wants you to spend on the city you will raise tax valuation, and that will kill the political organization you are in."

That was one reason. The other reason is they will say, "Grant, you got slush funds from the New York Central railroad." So he did not put it in his message, otherwise this question would have gone to a solution and we would not have had the pleasure of meeting you gentlemen here and now.

At that time this scheme was to allow the New York Central railroad to fill-in into the Hudson river, in some places fifty feet, and in some other places two hundred feet from the excavations then being made, and some which were to be made in future, and to allow them to have eight or ten tracks built out. And then they were to cover them over with steel and concrete, and put over it at Riverside drive a roof, and to plant shrubbery and trees; and they would take care of it, under the condition that they would be allowed to excavate under Riverside drive and park and

between Spuyten Duyvil at 72d street, for the storage of cars and warehouses and for storage of coal and for cold storage. There were other things. They were to have roadways come in about 69th and 79th streets and 96th street, and others farther up. Then they were to build an esplanade 150 feet wide up the Hudson so that people living at Spuyten Duyvil could drive into New York City.

Just today a distinguished Frenchman told me that the business men of Paris drive fifty or sixty miles in automobiles into Paris each morning, and they go out at night. If we had that esplanade there, all that probably would turn into taxpaying property, and if you do not do something for the business and manufacturing and the shipping interests of this city you will have no people to occupy your houses in the farther outlying districts of Harlem and the Bronx. Take care of the butter-and-bread and the ice cream end will take care of itself. And as a property owner I am one of the men who helped to make the West Side what it is; and I say look after the manufacturing end, and the business end and the shipping end or we had better sell our property and get off the West Side.

Chairman Van Benschoten.—It may be possible to look after both ends.

Mr. Stokes.—That is my view, exactly, Mr. Chairman.

Commissioner Stoddard.—What treatment would you make of the park there now? Are you familiar with the 1916 plan?

Mr. Stokes.—No, sir; I am not.

Commissioner Stoddard.—What is your plan?

Mr. Stokes.—My plan is a plan of peace. There is a religious writer who said, "Blessed are the peacemakers for they shall inherit the earth;" and I am here to have peace with the merchants and with the manufacturing and shipping ends.

Now, this was our scheme at that time: We had a bridge at Inwood and trains going in from the west came down to 72d street, then crossed over to Grand Central depot, and thence to Long Island, then on to Boston; and you could deliver your goods that way or bring your trains down the Hudson river on an

elevated road with the branches to the second floors of warehouses or factories on the second floors, or depots on the second floors, and there these goods could be taken up with electric ramps; with branches to run over this elevated road down Eleventh and Twelfth avenues to the dock on the West Side, to the second floors and there ships could be loaded and unloaded by electric ramps. I do not know why that was not carried through. That was the plan I made in 1888, when Mayor Grant was elected mayor.

Now, gentlemen, there are one or two things I would like to say. Think of the amount of milk brought into the city of New York during 1916. There were 297,000 tons of milk. Two hundred and fifty-six thousand tons of breadstuffs. When I got my figures in this book they were directly from the New York Central railroad. I went to them and asked for the figures.

Commissioner Ainsworth.—Page 16 of your pamphlet?

Mr. Stokes.—Yes, sir; page 16. There is a mistake there; it should be 15,000,000 instead of 11,028,225 tons. I have other figures from the Chamber of Commerce who sent and had a talk with me, and they gave me some of the figures I have here. When I started to write this article, your Mr. Stoddard reminded me of this line, and I have done the best I know how in the short and brief space given to me.

Chairman Van Benschoten.—We thank you, Mr. Stokes, and your printed statement will be filed with the Commission and read with interest by them. Our next speaker is Mr. C. H. Fuller.

Mr. C. H. Fuller.—Mr. Chairman and Gentlemen of the Commission: I represent the Harlem Board of Trade and Commerce, and I wish to say that Harlem's chief interest in this subject is in the Manhattanville section. We have been aroused at various times with movements to abolish our terminals, and at other times to tuck it under the hill as though a railroad was a despised thing to be brought in by the back door. But we feel the Manhattanville yard situation is one which will largely solve the entire problem in this respect; that the larger the terminals are made downtown the greater will be the congestion downtown. There is ample congestion now, and it is almost impossible

to get freight delivered with any kind of reason. The Harlem people depend on their freight going to the downtown sections and then being brought in by team and trucks to their warehouses over congested thoroughfares.

Our committee is composed of business men, shippers and receivers of freight, and we have been before the Board of Estimate and Apportionment and the Port and Terminal Committee meetings, and we invited the Port and Terminal Committee to come to Harlem, and we went over the situation there with them. We went over Riverside drive and viewed the situation there, and went up on the various floors of apartment houses there whose owners claimed that there would be some detriment to their property by this place. Our conclusion was that there would be very little detriment caused to their property.

Chairman Van Benschoten.—That is the 1916 plan?

Mr. Fuller.—Yes. With a railroad operated by steam, and shunting engines, and with lots and other things there lying off the wharf, they do not seem to have lost tenants for their property.

Chairman Van Benschoten.—According to the 1916 plan was provision made in the agreement that they should be covered, those tracks?

Mr. Fuller.—That the main line track should be covered. The main line tracks, six in number, should be covered.

Chairman Van Benschoten.—Not the yard itself?

Mr. Fuller.—No. In the Harlem section we have a population in excess of one million people, and that section is still suffering from lack of freight facilities. Harlem is solidly built up now, and there are only a few sites available now in the manufacturing area—there are only 1,372 vacant lots in that entire district, and those are mainly on the waterfront.

Chairman Van Benschoten.—Was consideration given to the placing of the yard under the viaduct, and back between Riverside drive and Broadway?

Mr. Fuller.—We went over that, and on our committee was John J. Hopper, who owns the property back of the gas tank,

and that involved bringing cars in on a turn. That was objectionable. It was objectionable from a railroad viewpoint. It was better to have straight-line shifting, rather than with turns.

The gas tank there would have to be bought and removed. The property would have to be purchased from private owners, and so it would be expensive. It would go into the residential section, and would be more detrimental than to put it on the outer section.

Chairman Van Benschoten.—What is the class of residential section there?

Mr. Fuller.—All kinds. On one side you will have a high class of tenants, and on the other side there may be nothing, or very poor paying tenants. On the Broadway side it is largely garages, and on the other side low paying tenants.

Chairman Van Benschoten.—Immediately surrounding the property on Riverside drive and Broadway, and on either side of Manhattan street, the class of residents, except those on the drive at the corner of 135th street are not of a very high type, are they?

Mr. Fuller.—Manhattan street is practically all manufacturing.

Chairman Van Benschoten.—You think then that the location of the yard in between Riverside and Broadway at that point becomes a serious question as related to the residential section?

Mr. Fuller.—Not so serious.

Chairman Van Benschoten.—It is more the inefficiency of the railroad, having it there?

Mr. Fuller.—Largely that. It produces no greater detriment to residential advantages than to have it outside.

During the year 1916 the Board of Commerce conducted an investigation, spending \$10,000, and one of the facts we learned is that we have two hundred and fifty manufacturers, with fifty million output, nine million pay-roll, and with an output per employee per annum, of \$4,930. Each of those manufactures,

canvassed individually, said that Harlem's need from their standpoint was more adequate freight terminals.

We not only desire freight terminal facilities, but we need shipping facilities by water. The Harlem river has only two small freight stations, one of the Lehigh Valley and the other of the Pennsylvania; and we have no Barge canal terminals on the Harlem or on the Hudson. So we are depending on the Manhattanville section for receiving and shipping freight.

Chairman Van Benschoten.—Does not Harlem river afford opportunity for development?

Mr. Fuller.—Yes, sir; but owing to the financial matters, as to what the city or the State could use there, we have not been able to get a barge terminal on the Manhattan side anywhere in Harlem. During 1916 our real estate agents reported a call for over 1,000,000 feet of floor space, in lofts. There is no loft space available, and the builders would be loath to put up such property until they were sure tenants could stay. The manufacturer's first anxiety is how to receive his goods and how to send them out.

That comes down to the point of milk. In the Manhattanville section in 1915, it was a normal year, there were 1,300,235 revenue tons of milk received there. That was almost one-half of the entire milk coming into Manhattan on the west side; and there were only 108,000 revenue tons coming in there. The milk receipts are constantly increasing, and there is more milk coming in and less freight comes in of the other classes. If we had a big building boom we could not get the freight in to carry it on.

Harlem has eight large department stores and twelve large furniture stores; large food markets, wholesalers and retailers and many builders in other lines of industry, and they receive large amounts of freight which must be hauled from downtown to Harlem, which adds to the cost to the consumer, and there is every reason why freight for the Harlem section should be delivered nearer.

Commissioner Ainsworth.—Generally speaking, your organization favored the 1916 plan?

Mr. Fuller.—It is on record as favoring the 1916 plan.

Commissioner Ainsworth.— And still approves of it?

Mr. Fuller.— And still approves of it. We favor it as not the best plan, but the best that was obtainable. If we have what we need, we would have the 1911 plan, which provided for four or five docks there; but there is no reason why Harlem should not have such a terminal there. There could be no reasonable objection to docks. Take the Chelsea district and the pier plan down there.

Commissioner Ainsworth.— The prophecy was made yesterday that the Barge canal would have lily plants growing in it very soon.

Mr. Fuller.— That is very likely unless some use is made of it soon.

Commissioner Beard.— Have you made an analysis of the freight which comes from the New York Central into Harlem?

Mr. Fuller.— There is no way of determining that, and practically all of the freight goes down town and has to be drawn to the recipients.

Commissioner Beard.— Would not the ideal plan be to take all of it up the west side to Harlem?

Mr. Fuller.— No objection to that. The terminals that the city needs at Manhattanville could be used by other large roads, to advantage.

Commissioner Beard.— Would you advocate such a system as an ideal solution of the problem?

Mr. Fuller.— To add to the present plan is the ideal way. Our present plans are not sufficient, and the Harlem section requires more facilities than the 1916 plan provided. It requires dock facilities there too.

Commissioner Ainsworth.— Your criticism is that they should enlarge, rather than restrict?

Mr. Fuller.— Yes.

Chairman Van Benschoten.— Our next speaker is Mr. Stewart Brown.

Mr. Stewart Brown.—Mr. Chairman and gentlemen of the Commission: What I have got to say is simply as President of the United Real Estate Owners Organization for the last four years, and I have been familiar with this question of plans, the 1911 plan, the 1916 plan and the 1917 plan. And also as familiar as one can be familiar with all of the large ports of the world.

I will first discuss the question of the 1916 plan. Our objection to that was this: We saw no reason for difference of opinion on the give and take or land value, whether there was five million in favor of the city or the New York Central was immaterial. The main point with us was for the city to maintain a marginal way from Spuyten Duyvil to the Battery; and that the New York Central should not have, as it seemed to have, the control of the water front.

I do not think there was any doubt that they had that, from the reading of the contract.

I will first discuss the question of the 1916 plan. We think the New York Central should not have the right to go down this right of way, as it would destroy the value of real estate to the west and to the east of it. We think under that right of way the freight terminals should be of such size as they chose to purchase. That is, having the right of exercising eminent domain, there was no limit to those needs, that whatever should be done there should be no restriction on. There should be run down the marginal street, west side, in the shape of a subway or a viaduct, covering the entire street, with six or eight tracks running down to provide for present and future; and that the railroads centering on the New Jersey side should have access to them.

That was our 1916 plan.

Commissioner Beard.—How should that be done?

Mr. Brown.—As far as money was concerned?

Commissioner Beard.—Yes.

Mr. Brown.—Our viewpoint was that as long as the city has money to pay for it, whether it cost the city \$20,000,000 or \$30,000,000 was secondary. That it was absolutely essential that the

New York Central and New Jersey roads should come into Manhattan, and that no matter what the cost to the city, it would get it back by reason of the increased value of real estate.

Commissioner Ainsworth.— You mean then a municipally owned —

Mr. Brown.— That was secondary.

Mr. Ainsworth.— You criticised the Central building it?

Mr. Brown.— Not building it, controlling it.

Commissioner Ainsworth.— Is there not a question of the capacity of the city to borrow the money that this will cost, \$114,000,000, whereas the borrowing capacity of the city is about \$30,000,000?

Mr. Brown.— That may or may not be so. I think at present we have about thirty millions of leeway.

Mr. Ainsworth.— The best evidence we get is that it will cost \$114,000,000.

Mr. Brown.— For what?

Mr. Ainsworth.— Elevated.

Mr. Brown.— I am speaking from 72nd street down. Up above there it carries itself.

Now, the next point is the 1917 proposition, which the New York Central turned down, and I think it was justified in that.

Commissioner Ainsworth.— We are a little bit more interested in the solution *ab initio* now. You are a real estate man and represent a large interest, and you have a view. Will you give us the benefit of that view?

Mr. Fuller.— I will answer that like a Scotchman, by asking another question.

Commissioner Ainsworth.— You are like the average Scotchman, that keeps the Sabbath Day and everything else that he gets his hands on.

Mr. Brown.—This proposition is more than the question of the New York Central; it is a national question. It is the Port and Terminal of the city of New York. The Board of Estimate and Apportionment more than a year ago appointed a commission of three engineers and railroad and shipping men to consider this question and report. It is not a real estate problem, but I do not think the average man appearing at a public hearing is capable of passing an intelligent opinion of what is necessary.

Commissioner Ainsworth.—Was that committee appointed?

Mr. Brown.—It was appointed, but it got cold feet afterwards and thought they did not have the money to pay for it. Comptroller Prendergast said they hadn't the money.

Chairman Van Benschoten.—If adequate terminal facilities were provided along the west side, do you think it would have any effect upon that great West Side desert?

Mr. Brown.—It would benefit it, if properly handled.

Chairman Van Benschoten.—To a considerable degree?

Mr. Brown.—Certainly. I think you could increase the value of that real estate five or six times what it is today, on the West Side.

Chairman Van Benschoten.—The real estate condition there is practically dead now?

Mr. Brown.—Absolutely dead. I have read the report given out by Mr. Shonts. It seems to me that you have two propositions—you have to have a distribution point or a classification yard on the other side, the Jersey side, or have that in Manhattan. If you are to have that in Manhattan, where it would be preferable, then it must be under ground. You cannot have the necessary yard of the necessary size, above ground. You must have it under ground. And as far as a combined classification yard for all railroads is concerned, you must consider whether you are to have it in New Jersey on the surface, or in Manhattan under ground.

Chairman Van Benschoten.— You appreciate such a classification yard in New Jersey as Mr. Shonts referred to would eliminate from bringing it to Manhattan. Do you think it is desirable to bring over to congested Manhattan hundreds of thousands tons of freight merely to be shipped out again?

Mr. Brown.— I think that is a question for the Chamber of Commerce to speak on.

Chairman Van Benschoten.— That was the reason why a classification yard outside of the Island of Manhattan was suggested, it would prevent that needless shipping in and out.

Mr. Brown.— He is probably looking at it from a national standpoint, Mr. Shonts.

Mr. Beard.— What is the advantage of a classification yard for New York?

Mr. Brown.— For the delivery of freight that comes to Greater New York, and not for the purpose of transshipment.

Commissioner Beard.— Then you could have tunnels underground, delivering that to the different boroughs from the classification yard, but you cannot have an elevated classification yard.

Chairman Van Benschoten.— That classification yard you referred to as being in Manhattan should be for the classification of New York freight only?

Mr. Brown.— Yes, sir; and distribution in New York.

Chairman Van Benschoten.— What was your idea of treatment of Riverside park, in the 1916 plan?

Mr. Brown.— That was good as far as it could go, but it should not interfere with the business interests of New York. The treatment was not bad. Many people objected to the destruction of shrubs and trees, but I do not see why that should interfere with the development of the Port of New York. It is a matter for railroad and shipping experts, rather than for the ordinary man who appears at a public hearing.

Chairman Van Benschoten.—Anything that benefits the city of New York will benefit all of the business men of New York.

Mr. Brown.—There is no doubt about that. And of course, there should be relief.

Chairman Van Benschoten.—Our next speaker is Mr. W. E. Church.

Mr. W. E. Church.—It strikes me, Mr. Chairman and Gentlemen of the Commission, that we are overlooking the more important questions involved. I do not agree with the last speaker, I think sometimes the outsider can give better ideas than those most interested.

The days of 1888 and elevated structures have passed, and this is the subway and tunnel day. I would like to have you start with me by going first to the East Side. Possibly none of our citizens understand the lay of the land better than the yachtsman. He comes down from Long Island Sound and he strikes down toward the Battery, and he takes his life in his hand as well as those on board his boat. None understand that better than the commercial boatmen. The traffic of Long Island Sound must come by way of the sunken meadow, through Harlem, and into the Hudson. That is natural, and must come. The government has already spent several hundred thousand dollars, and it will cost several millions. The Harlem ship canal must be widened, straightened and deepened, and the elimination of the Spuyten Duyvil draw-bridge is a certainty.

I have a letter from the Secretary of War in which he told me the Spuyten Duyvil draw-bridge was a nuisance, and it caused trouble, and any plan for improvement of Riverside front or Manhattan Island would seek for the elimination of Spuyten Duyvil draw-bridge. He also said that the Government had thought of a ship canal there to relieve the railroad tracks.

Now, go with me to the lower part of the city. I am glad Mr. Shonts has taken the wind out of my speech. He has said exactly what I had in mind. There are one or two points I want to call your attention to. For instance, Mr. Shonts said that at least one thousand acres of New Jersey meadows would be necessary

for the classification terminal yard. That is true. You cannot make a freight yard of Manhattan Island. It is not built that way. That is on the surface, I mean. You must go into tunnels or subways. That is the beginning of it, as you must classify the freight, as our Chairman has mentioned, in New Jersey. Then you must have these tracks go up Eleventh avenue, to Riverside drive, along to Spuyten Duyvel, and as the Government has indicated, into a tunnel there. There is the whole scheme to take care of freight congestion in New York City.

Now, you must not overlook the fact that a great deal of shipping will go back and forth, and up in the Harlem ship canal, and although we may not like to see it, I think you will see a row of docks all the way down the river front, to accommodate the traffic coming into New York. Therefore, the only apparent solution, if you agree with the Government in eliminating the Spuyten Duyvel draw-bridge, is to have a subway coming down to take care of all of the roads coming into New York. There are eighteen railroads coming into New Jersey for New York City. We must not look too carefully about the New York Central.

Chairman Van Benschoten.— You spoke of docks from Spuyten Duyvil down the North river?

Mr. Church.— Yes, sir.

Commissioner Ainsworth.— Who do you represent, Mr. Church?

Mr. Church.— I am secretary of the Hudson River Yacht Club.

Chairman Van Benschoten.— Does your organization believe there should be docks in front of Riverside park?

Mr. Church.— Not to my liking, but I do not see how it could be avoided when you consider the increased traffic.

Chairman Van Benschoten.— You do not think the four hundred and odd miles of river front of New York City could provide sufficient docks for that?

Mr. Church.— You cannot touch the Jersey side; and on the Jersey side, of course, the New York Central tracks run up there and it would be difficult to extend any docks beyond Spuyten Duyvil which would be of service.

Chairman Van Benschoten.— And you believe Riverside Drive should be sacrificed to business purposes?

Mr. Church.— Not at all; just the contrary.

Chairman Van Benschoten.— You believe it would be necessary?

Mr. Church.— I believe tracks should go through subways, possibly eight tracks and as Mr. Shonts said, you can put a tunnel under the Hudson for six million dollars, and if that is so, then you must apply about three million in a subway.

Commissioner Ainsworth.— Who is to build the tunnel under the Hudson river?

Mr. Church.— I think Mr. Shonts figured it out well.

Commissioner Ainsworth.— He did not subscribe for any stock yesterday.

Mr. Church.— No but he says — Mr. Shonts thinks the Government should finance the tunnel terminal system. It is up to the people of New York City to foot the bill for New York City, if they want it. I do not think we should do away with Riverside park at all. That could be taken care of by a subway system. I want to say if we cannot supply the necessary railway terminals which are required to take care of this freight traffic we will be remiss in our duty and miss a splendid opportunity for the development of the Port of New York.

Chairman Van Benschoten.— Our next speaker is Mr. B. S. Addoms. Mr. Addoms, you are president of the Manhattan Refrigerator Company?

Mr. B. S. Addoms.— Yes, sir, and also of the Union and Kings County Refrigeration Company of Brooklyn, and also President of the Chelsea Association of Merchants and Manufacturers, and

also Commissioner for the State of New York for the vehicular tubes under the Hudson river.

I have been for 30 years in the City of New York. I was born in the State of New York—in Steuben county. I have been connected in a large way with the handling of food products and it has given me a chance to study our terminal facilities and the methods of handling freight around New York.

Our Association went on record in favor of the New York Central plan covering the district from 30th street to Canal street. That is their own privately owned way. We did that simply for the reason that it was leaving Twelfth avenue, or the farm section as we call it, open for later development. And it gave us the facilities we absolutely need in that section. We certainly need something other than what we have got.

Now, we were more favorable to the plan of having an elevated structure down along the waterfront on the west side open to all railroads. That was the proposition of Mr. Tompkins when he was Dock Commissioner. We felt that was giving all of railroads a fair show. You must bear in mind that the New York Central and Hudson River railroad, as they come down on the east side of the Hudson river, that does not lend itself to large development as to trackage, they are very close to the river and it is very expensive to cut out those rocks, and from a large railroad standpoint it is not practical. The haul is easier, coming more direct from the west and landing on the west side of the Hudson river, in Hoboken or Jersey City.

Now, the New York Central, if their 1916 proposition went through, as the West Shore road floating cars over at 30th or 60th street, they would have a right to use that elevated structure. In other words it put the New York Central in entire possession of the freight traffic of the west side, and not only the New York Central, but the Lake Shore railroad and that makes a monopoly.

Chairman Van Benschoten.—You speak of below 30th street. Above 30th street, under the 1916 plan, the New York Central had its elevated on the marginal way. Did that seems to be objectionable to you?

Mr. Addoms.—No. We do not go from 30th to 59th. I

understand from 30th to Canal there would be an elevated structure.

Chairman Van Benschoten.— But you stated that you believed the plan of having the New York Central go through a private right-of-way below 30th street was good.

Mr. Addoms.— Yes, sir. It is a remedy, and not a cure.

Chairman Van Benschoten.— Would the same objection lie against the New York Central going from 59th to 30th street?

Mr. Addoms.— Same objection.

Chairman Van Benschoten.— In other words, the New York Central should not go along a marginal road, with exclusive use of the marginal way, or an elevated road should be built there only when it is open for the use of all the railroads?

Mr. Addoms.— That is it exactly. Now, the solution of the problem from my standpoint is vehicular tunnels under the Hudson river; and the State of New York and the State of New Jersey have been studying that subject for a number of years. They have employed the very best engineering skill on it, and within the last year New Jersey, that is the three counties near the city — Hudson county, Essex county and Bergen county — these three counties each appropriated \$10,000 or \$30,000 all together for the purpose of preparing plans and getting estimates for building a vehicular tube under the Hudson river, one-half the expense to be borne by the State of New York, and one-half by those three counties in New Jersey.

Commissioner Beard.— One-half to be borne by the State of New York?

Mr. Addoms.— Yes, sir; and one-half by the three mentioned counties, the three counties feeling the necessity for it, and desiring some action.

Now, the New York Commission is working with the New Jersey Commission and it will be up to the Governor or the Legislature to say what New York proposes to do. Governor Whitman and Governor Edge have had conferences on that subject.

Now, our Commission has on the proposition the light of all sorts of ideas submitted by various engineers.

Commissioner Ainsworth.— You are a member of that Commission?

Mr. Addoms.— I am, yes, sir. So we found that the opposition to the other fellow's plan, no matter who it was, it was very formidable. The Public Service Corporation of New Jersey employed a jury of leading engineers of the country and they studied the tunnels under the Thames, and altogether spent \$75,000 and made a great big report, a large volume. Jacobs and Davies, the noted tunnel builders, at the expense of the two States, have gone into it exhaustively. So we decided to bring in an umpire, and we employed General Goethals, and he has given us a report, and we have settled it all. He clears up all differences, and I think I have his report here with me. He backs that up by an estimate from one of the most responsible engineers or tunnel builders saying it will cost more than \$12,000,000, that is, \$6,000,000 for each State. That would be a vehicular tunnel, lower and upper level, three passenger vehicles on each level.

Commissioner Miller.— You think that would do away with bringing loaded freight cars into the piers?

Mr. Addoms.— To a great extent. I think it would be a great mistake to develop a great freight station on the west side of New York, or Manhattan. It would be out of place.

I think you as Commissioners should not look upon one-half the circle only. I consider you should look at the other half too. What we want is development of the Port of New York, the greatest port in the world, the port that lends itself more than any other port in the world to development; and that development as far as the freight is concerned, is on the west side.

It is on the main line, where all the railroads terminate, where they change from rail to water. It has been brought out, I think by one of you, your Chairman, that there is so much of our freight that is coming in to New York, that is, to the Port of New York, which is not consumed here, which is exported. Do

we want to handicap New York City, by bringing that in to the city, on Manhattan Island — not at all.

By Chairman Van Benschoten:

Q. Now, if I may ask a question right there as being a member of the Commission, and representing the State of New Jersey on that Commission, have you given any thought to the more recent action at Washington, as to what the probabilities are of the best authority for the proper development of the Port of New York, whether it be federal, municipal or interstate? A. Well, (hesitating) —

Q. We are kind of groping a little bit, too. A. I would not want to criticize anybody. I had a very interesting conference with Secretary McAdoo on it.

By Commissioner Miller:

Q. Has there been any Commission appointed by New York City to act with your Commission? A. We are in action together.

By Chairman Van Benschoten:

Q. Is not this the Commission of which Mr. Wilcox is the Chairman? A. No.

By Commissioner Beard:

Q. Julius Henry Cohen, of counsel? A. No.

Chairman Van Benschoten.— That is not the Commission.

By Commissioner Ainsworth:

Q. Who are the members of New York on that Commission? A. Bloomingdale is the Chairman, I think; McDougal, Hawkes, that is New York.

Q. Hawkes? A. We spent from 25 to 50 thousand dollars on the subject, and everything is ready to go ahead.

Q. Who is the other man, Bloomingdale, Hawkes and who else? A. Well, I will give you their names later.

Q. When were they appointed? A. Well, they have been appointed in — the vacancies have been filled from time to time, there have been vacancies in it.

By Chairman Van Benschoten:

Q. Who are the members from New Jersey besides yourself?
A. W. H. Noyes, Chairman, and McCarter, the President of the Public Service, and Mr. Lamont of J. P. Morgan & Company, ten altogether.

Q. Ten altogether? A. Yes.

By Commissioner Miller:

Q. You have in active charge, that matter of the bridge; is not that your Commission that considered the plan of building the bridge across the Hudson? A. That was a former Commission.

Q. Yes? A. Yes. That was a former Commission under a former Act. This is the Act of 1914.

By Commissioner Ainsworth:

Q. The Act that creates this Commission in New York was 1914? A. No; you have several revisions of the act.

Q. We had the old Bridge Commission years ago under the Green Bill? A. Yes.

Q. That Commission has been kept alive even since? A. Oh, yes, and its officers and secretary and lawyers since.

Q. Like Tennyson's brook—it goes on forever, eh? A. Well, there has been a whole lot accomplished.

Q. Oh, yes. A. The public do not realize it, nor do they realize the necessity for it.

Q. I was only getting at that Commission; what do you say about 1914? What happened then? A. 1914, is the act, under which the State, the Commissioners of the State of New Jersey are acting.

By Chairman Van Benschoten:

Q. Where are the headquarters of the Commission? A. 115 Broadway. We have rooms there.

Q. What is the title of the Commission? A. It is our Commission from New Jersey; it is the Hudson River Bridge & Tunnel Commission.

By Commissioner Ainsworth:

Q. I see. A. And the New York is the Interstate Bridge & Tunnel Commission.

By Chairman Van Benschoten:

Q. I see now. I am going to extend your time a little bit, Mr. Adams, because it is one phase we have not had before us, and we consider it quite important. A. That is the reason — I really had other appointments today and I could not get here at all, and I hurried down here with this little brief that was printed, and I got a cup of coffee and sandwich and came in.

“A vehicular tunnel under the Hudson River is imperative for the Port of New York. Nearly all the trunk line roads terminate on the Jersey side of the river. These vehicular tunnels would relieve for a good many years” —

Now, for a good many years those other ideas of immense freight tubes under the Hudson River for running freight cars there, why, that may be something that we may really require in another century, but I do not feel that we can think of that expense at the present time. I do not think you should consider it.

By Commissioner Beard:

Q. The expense of carrying freight would be larger? A. Not only the freight on this side, but the property that would have to be condemned, the amount of space that it would take up. “Those vehicular tunnels would relieve for a good many years the freight congestion at the Port of New York.” We know, and it is acknowledged by all railroad men, that the automobile trucks can compete with the railroads within a radius of 25 miles. I am conservative with 25. Some other railroad men state considerably more.

By Chairman Van Benschoten:

Q. Is it your idea that the railroads will deliver their freight to the shippers on the Jersey side, and pass it to the shippers to send their trucks after the freight, or are the railroads to deliver by means of trucks to New York? A. Do you know, I could talk to you for a week on this proposition.

Q. You know we are New Yorkers and are interested in what you Jersey people are trying to do with us? A. I am a New Yorker.

By Commissioner Ainsworth:

Q. What is your answer to that question? A. That question as to the delivery over there—that is the whole. How is it at the present time—the cars are run up on those floats on the Jersey side. A float comes over to the New York side. There are three of them, and they go in this slip alongside of the pier. They are tied up there—

By Chairman Van Benschoten:

Q. It is not the method I am asking about. A. Well, I want to give you an idea of the comparison of one method of handling, and the other—

Q. No; the point I had, if you will pardon me, then we will come to that: Is it your idea that the New Jersey railroads will deliver their freight and route their freight for New York shippers to Jersey City, and the New York shippers will have to send their trucks through this vehicular tunnel, to get their freight, or are the roads to deliver their freight in Manhattan by means of the use of these motor trucks, through the tunnel? A. That is a matter that would be decided by the Interstate Commerce Commission, or an arrangement as to the making of the freight rates. Whether they would have it that way, which would be cheaper for the railroad companies,—I feel it would be cheaper for the railroad companies if we had vehicular tubes, to do it on automobile trucks; one method is the automobile truck; load the goods on after the automobile trucks back up to the car door, and then have them come through this vehicular tube, enter New York, and in probably ten minutes they are over on this side instead of having to rehandle those goods on this side, load it on trucks again, it goes to the warehouse or to the man's store.

By Commissioner Ainsworth:

Q. We understand that very clearly; that has been before us, that illustration, but the question becomes a very vital one, if that would result—if sufficient vehicular tunnels would result in doing away with the lighterage zone that now exists, and let them bill their New York freight to the Hudson shore and stop, and our merchants go over there after it, it would be quite a serious

problem for New York, would it not? A. At the present time, they bill to New York and stop in Jersey City, and the concern carts it over to New York and he receives back his unearned lighterage of three cents a hundred.

By Chairman Van Benschoten:

Q. The railroads have to deliver it to New York? A. Yes, but I mean providing you take delivery of the car in Jersey City.

By Commissioner Ainsworth:

Q. They do not do that very much? A. Yes, they do that with all perishable food products, and a good many other products, three cents a hundred.

By Commissioner Beard:

Q. Now, getting down to brass tracks, is the interest of New Jersey in this vehicular tunnel, this interest, namely, to get a differential, to get one rate for the Jersey shore and another rate for New York city; is this the lever to pry loose this uniform rate for New York City and Jersey City? A. I have not gone into that phase of it.

By Commissioner Ainsworth:

Q. Should it result in that, it would be a pretty serious proposition, would it not? A. If the Government or the Interstate Commerce Commission controlled the rates that are made by the railroad companies, why, that is all there is to it.

By Commissioner Beard:

Q. In controlling the rates, it takes into account certain physical conditions which now exist. Now, if we create different physical conditions by means of vehicular tunnels, those new conditions may justify the Interstate Commerce Commission in giving one rate to Jersey City and another rate to Manhattan, and that would be disastrous to Manhattan. A. Well, I think I would cross that bridge when I came to it. The fact of it is at the present day, that it is almost impossible to get a float across with cars. It is almost impossible to get a barge of coal across. The railroad companies say they cannot do it, and what is our plant doing in Wallabout market — we are without coal.

Chairman Van Benschoten.—Those details we are quite familiar with.

By Commissioner Ainsworth:

Q. All you have to do is to open the windows over there now?

A. Yes, sir, that is very true. “Now, it is unanimously agreed that the facility is required of connecting up the highways of the two states by vehicular tunnels.” Now, it certainly would be a short-sighted policy to handicap ourselves by putting off this work on account of the present war. Some say we should not consider a thing like this — spending six million dollars of the money of the State of New York — “which would relieve congestion and give us food and coal without any delays, and land it right on Manhattan Island.”

Q. It would help undoubtedly on perishable products, but the proof that is before us is that there are about two thousand freight cars that are carried over here every day, and two thousand freight cars go back again, and it staggers my imagination to think of stopping them over there and bringing them over there and bringing that stuff here in automobile trucks, and does it not yours? A. No, not at all; not at all. I have been in the business and handling the freight all the time.

Q. You ought to be interested from the greater knowledge that you have than I have, of course? A. And it would be done so easily and so quickly.

Q. They tell us that a freight tunnel—it would tax a freight tunnel to do it, and a vehicular tunnel, it must take 10 or 12 automobiles to carry a carload, must it not? A. No, we will say that the ordinary truck, which is not now considered a very large truck, is a five-ton truck.

Q. Well, a five-ton truck? A. That would be four truckloads for a carload.

Q. Take about four, then? A. Yes.

Q. And then there would be eight thousand of those to go over on a day, and eight thousand to come back, it would take some tunnels, would it not, to have an endless procession like that?

A. To undertake the whole proposition, at once, yes, we could not think of having a radical change of that kind.

By Commissioner Beard:

Q. Would not there be a tremendous congestion of the streets?

By Commissioner Ainsworth:

Q. Probably 200 miles of trucks, would it not? A. You would not think this would be all done — there would be any radical change that would shut the gates one day, and say it would be done that way, why, no. Those principal thoroughfares in the city of New York will be connected up with the State of New Jersey, principally thoroughfares on the other side.

Q. I like that. A. And New Jersey will be used, that part of the Jersey shore will be used for yards, what we call "working tracks"; that is the way that our freight can be brought in here. Then, in addition — I say that this will take care of the problem for a great many years. If it is so developed later on to run those freight tunnels also, but what we want now is — give us something that will help us at once. A vehicular tunnel there, taking care of six vehicles at a time, can be built in less than two years; only a few men employed. It is not going to pull on our fighting force. It is going to be made out of sand and cement. The price of these articles is just about the same as today, and probably will be the same for the next ten years.

By Chairman Van Benschoten:

Q. Has your plan gone so far as to determine where it would touch Manhattan Island? A. Oh, yes.

Q. Whereabouts? A. Yes, that plan — that was agreed upon probably six or eight years ago, and each of the succeeding Commissioners that have been appointed from the different states have all approved of them.

Q. What is the street, or near what street? A. And also the Public Service Commission selected the same; that is, in order to avoid any steep grades, that is Canal street in New York — Canal street right out here —

Q. Yes, I know. A. And about 12th street in Jersey City, somewhere in the vicinity, that is in between the D. L. & W. yards and the Erie yards, the point has not been fully settled on as to where they would come to the surface in Jersey City, but it

has been specified as between those two points. The Federal government have passed upon that. It has all been approved by the Federal government.

Q. Mr. Adams, could you file with us this report of Colonel Goethals, to which I believe, is attached a copy of the engineer's report? A. Yes.

Q. I am sure we should like to have that to look into. A. Yes, I have it all here.

Q. And it might be possible that we will come to you for further information along those lines. A. I would be glad to give you details and reports on any quantity; we have got full information.

Q. Thank you very much. A. Thank you, gentlemen.

Chairman Van Benschoten.—Now, Mr. Harding.

H. McL. Harding was called as a witness and testified as follows:

By Chairman Van Benschoten:

Q. I believe you are Consulting Engineer to the port and terminal— A. I am President of the Society of Terminal Engineers, and General Battesby is one of the Vice-Presidents, who was formerly Chief Engineer of the Army, and then Mr. Stewart, who is in charge of this work, your Chairman over there in Newark is another President, and there is another, and there are quite a number of us. I was also Consulting Engineer to the Department of Docks under Mr. Tompkins, and I had to make a study of this west side system, and also to make a report a good many years ago. Then, also I am Consulting Engineer of the city of Beaumont, and have been of the Commonwealth of Pennsylvania, and I am also Consulting Engineer of the Chamber of Commerce up at Yonkers, where we are proposing now to put in something like sixty piers, begin gradually, you understand, the whole length of the waterfront, and the plans have been approved, the money has not yet been appropriated.

Q. And put New York out of business? A. It will help New York very much. It will extend very much up that way, and then there are a good many others. I am also engineer of the Missis-

issippi Improvement Association, where they have 60 cities, so you see there are a good many terminals in that respect. I refer to that as not pertaining to myself, but in order that you may know, I am somewhat familiar with the situation.

Q. You were going to give us some good suggestions. A. I do not know as I could do that. I can tell you what seems to me to be the simple plan for this whole west side business, and it also seems to me there is a good yield of camouflage in the past, and by different interests. Now, I have absolutely no interest of any kind where it is to be. I do not represent anyone that has any interest, and therefore possibly what I can say can be taken as representing what I think that probably out of ten engineers, nine as tunnel engineers, would accept.

Q. Now, it is this: Let us divide up above say 48th street or 59th street, and leave that all as it is. That is not so much an engineering proposition. Of course, I think from the fact of handling freight, that is to say the handling of freight with speed, and whatever conclusion you come to I do hope that you will consider that the most important thing in terminals is speed, it is the speed of transferring, the speed of handling, and if you can get that speed, then you can get the economy, and it makes great difference in regard to that. For example, take this: We have got to have a foreign commerce, the Germans will handle their freight for 15 cents, which is costing us say 54 cents. Now, that 54 cents is taken from the Government report at New Orleans, and represents the handling of something like five hundred and sixty-four thousand tons in a year, which you see is a very good average. Now, there are two things; I will leave out everything above 59th street, say, that upper part, and only take the freight-handling portion of the business. Now, there are two things: First, let us take two ways; one would be the tunnel way and the other would be the overhead.

Well, now, it is not impossible, it is perfectly easy to run a couple of tunnels down there, but it becomes somewhat difficult when you go to the east and go into the different blocks, you understand, to unload and carry the cars; that is not impossible; that can be done. It is expensive, but it is possible. Now, if you go to the west, then you strike a different problem, because

how — you cannot run the terminals under those piers; you see that is impossible; that is to say, nothing is impossible, from an engineering standpoint, but commercial engineering, it is impossible. Therefore, you see the only thing for you to do, if you are going to get the freight from the cars into the ships, there has got to be some point where there is going to be a good deal of congestion. Suppose we run a tunnel a little ways; then we have to lift it up and carry it out of the piers. Now, therefore, I think it would be just as well — let us wipe out the question of using the tunnels for terminals, if you want to go up and down, why, all right, but when you get tunnels, it is impossible to handle the waterside and the riverside by tunnels; you cannot do it in a way that I can possibly think of, and I do not know of any way that can be done.

Now, therefore, leaving out — remember I believe in running tunnels but first we have got two other problems: One is to have something that will last for 25 or 50 years. Now, that there is the elevated. We will use that for that purpose, and what we will use after that, we cannot tell. We may know more about things later.

As far as carting tracks — this I will just put in, because I think of it — as far as carting tracks out on the second floor of the piers, there is not a pier, unless there are two new ones that are being built, that will sustain them. You could not do it. You would have to build the whole thing. They are built on wooden piles, therefore you cannot carry your tracks out on them.

Now, some time ago, when I made a report I went to the Chamber of Commerce, and the Secretary very kindly gave me all of the papers, running back something like thirty years, and then I got them from a good many other sources, and now, in reading those over, naturally, as one would do, I find this one little line running through the whole of them, very much like the red line running through all the ropes of the British Navy — every one was in favor of getting direct co-ordination between water and rail. Now, that ran through every report; we are all agreed upon that. They only differed, you understand, as to the way it should be done and the way it should be put, but they all wanted that, and that is the most important thing in this whole matter — which is to get close co-ordination between water and rail.

Now, I probably visited about all the ports, I think, in Europe; I visited them and studied them, and when the United States entertained that International Navigation Conference here, I was chairman of the Commission and so we entertained them, and the United States spent \$50,000, and the city of Philadelphia saw the importance of it, and we took them all over the country: so, when I went over there, they were very kind to me and gave me boats and allowed me to go everywhere, and in fact, gave me a letter, giving me the liberty at the Port of Hamburg in 1913, to take any measurements or photographs I pleased in the whole port.

By Chairman Van Benschoten:

Q. You had better keep those. A. I have kept them. Now, I do not think that we can go within 100 miles of it, and they watch people over there very carefully to see what they are doing.

We will, therefore, start and leave out the subway and the tunnel, and then we will run an elevated railroad along — pay attention to this — along the West Side, but not to the west, or rather not to the east of the marginal way near West street, but right over close to the piers. Now, why is that suggested? In the first place you have got to have at least six tracks, you cannot get along any other way. I can tell you that in just a few minutes. Suppose, for example, there are two kinds of freight we have to consider, one that is outbound, rather, just coming in and going out of ships, and the other is to remain here, and then there is the inbound freight, you see; just separate those two, because we do not have to sort and distribute outbound freight at all, which generally goes into the ship from the car.

Suppose, therefore, we run one track right down close to the pier, but we have 50 feet in there, what we call bulkhead space; now, suppose we have an elevated railroad, and then we will let that run right along here, we can take right from the cars, right into this bulkhead space, and it is all there, it is not used, that second story. I was consulting engineer of the Southern Pacific Road and also the Clyde Line, and there, in the second story, it has never been used at all for freight handling. In the past, it would be a good place to throw ball or play tennis, but there is nothing else in that whole space there until finally they had a warehouse company.

Therefore, this space here — I think you follow me perfectly, you have heard so much about it, but the second story, 50 feet back, it is all on the shore, and there we will have a freight house, as it were, or a place for just taking the freight temporarily now. The size of the railroad freight houses all over this country are either 25 or 30 feet wide, as you know. That is all they can make them, for the outbound freight. The inbound is sixty feet. We have, therefore, plenty of room there to run this track down here, but you see that track, if you put anything there, you cannot put another track down over it. Therefore, we have to have a second track to go around. You see this first one, this has to go to the next place, because it has to stay there for a little while, and that takes care of that (indicating), but we have to have a track to go back. Therefore, you see there is a track there, and that takes three. You have to have three tracks also for the inbound freight in the same way, because the car stops, and you have to go by it, and you have to have another track.

If you do that, there are six tracks, and you bring them right out, and you use overhead machinery — overhead transferring machinery, such as they use at Leipsic. There are lots of them in this country. I think Ford has about seven miles of it, and it is used very, very extensively, and so in all the places in England where they have munition plants; that is to say, it takes the stuff right up and carries it, as you understand it, and brings it within the rails on the ship's tackle.

Well, now, there is that point, but now, that is all right, but how long will that take? It will take to build that, comparatively speaking, three or four years, theoretically not, but by the time you get your foundations and everything down, it will take time to do it. The question has been asked, "Who should pay for it?" Why, the city, of course — there is no question about it. Let them string it over for these years, and take so much a year and put it in. That has got to be done. We have the same thing at Liverpool; we have the same thing at Hamburg; and the tendency to-day is for the cities to own the waterfront, and to own all the connections and everything pertaining to it. In fact, I was making out in a report, and I think I counted up something like thirty or forty cities, you understand, that are buying, owning and

developing their waterfront; that is, everything will be done that way. Of course, we have not gotten thus far, but, even outside of what the activities of Washington are, it was coming naturally, because a riverfront terminal will pay—it will pay interest; it will pay for maintenance, and it will give a very good income.

Of course, you can see that in New York, where there were some fifty-five millions taken off the debt on that account—you are familiar with that, and I use that as an illustration.

What are we going to do today? We can, of course, in having that tunnel—you have all seen the plan of Mr. Camden's where they put a tunnel across, and then come up, you understand, on the elevated. Well, now, we can do that, and then we can come up here and so on, but to do that it will take some little time to do it, but here is another problem; what are we going to do today with this wall? Here is the New York Central. The New York Central is bringing a large amount of freight, it could bring, of course, a good deal more. These Jersey roads are bringing a good deal, and now, of course, we can stop on the Jersey side, but if we do that, then what are we going to do with all of our waterfront? It is just as good at once place as at another, so therefore, both sides, you see, ought to be developed, not only the Jersey side, but the New York side, and even with good deal better piers than they have today.

What I am going to suggest will be something you probably won't like at all, but at the same time, I cannot see any other way, and it is something that can be put in force in probably ninety days, that is, to put railway tracks—at least, during the continuance of this war, right upon the surface. Now, we can put six tracks in; by starting every two or three blocks an army of men, we can get those in there in sixty days easily, and probably less, and then, of course, we need not go down into that. We will simply take the concrete, and wherever the crossings are, the whole thing, and fill it even. I do not want to go into this detail, as it will take too long, but any railway man will tell you that we can run tracks three or four miles within a short time; in fact, over there in France, I had a letter—they

ran nine miles, in fact, I think it was only three or four weeks. We can do that here. We can lay those tracks.

Now, the New York Central can come down by that way. They have never suggested this before; it would give them a very large amount of freight, and they knew it was absolutely useless to suggest putting anything on the surface; but these are war times and it is now different, and we want to make use and get this material out. It is hard work to do it. I cannot see any other way that we can do it, except to run say six tracks there. There is plenty of room. Six times three is eighteen; six times one — 78 feet is what it will take, and we have 250 there or more, with the marginal way, so it will only take a small amount of it, and we will flush it — we always do that in our terminals, and then drays can go over those tracks parallel. You have to have some cars, and leave passages here, and into here (illustrating), but instead of having all those trucks taken now from places, why in this case the cars can come right there. If six are not enough, put in one freight, and that takes care of the New York Central.

Now, take the Jersey roads. They can come down this way. There are two places, if you remember, on the marginal way, at the southern end. It comes down like that, and then like that, and here are a lot of the Pennsylvania piers (indicating). You have the marginal way extended down there.

By Chairman Van Benschoten:

Q. Yes. A. Now, suppose that here we put in bridges, car bridges, down there (indicating). Now, suppose up at 49th street we put in those, or somewhere along there — this is not an engineering report — a number of other bridges. You see, therefore, those cars can come over on floats and right on here, and going up on this marginal way and coming down to this marginal point (indicating). There they can go into other floats, you see, and go back, and not only that, we will start car floats here coming this way and going back, so that we will have them coming down this way and the cars coming that way. (Indicating). That can be done quickly.

There is nothing new about it. There is nothing difficult. The whole thing can be done very quickly, and we need not interfere, you see, with what exists, and then we would have — just think of the number of piers that we could use, in case we did not have to have those car floats coming in all the way up and down. We supply not merely this point you see here, where the Pennsylvania is, but by means of these tracks we supply the whole ground.

Now, this is a temporary thing; of course, that is understood temporary. What are we going to do during this war? Therefore it will more than double, treble, or four times, possibly, the capacity of the port.

This is rough. It is not a report. You can criticize lots of things, but it will do this — it will allow a good deal more freight to the New York Central and from the Jersey roads, and from all, to supply on this side. Of course, we will take later the tunnels which will come. The question of classification yards and all that — they have over there what we call a Belt Line Railroad in Jersey that is to cut every road with switches, so that they can all reach these floats. That is kind of essential to do that. Gentlemen, I thank you.

Chairman Van Benschoten.— We are very glad to hear your statement, Mr. Harding. I do not know whether we have your initials or not.

The Witness.— H. McL. Harding.

Chairman Van Benschoten.— Now, Mr. Bleeker Miller.

J. Bleeker Miller was called as a witness, and testified as follows:

The Witness.— Mr. Chairman, the time is so brief that is allowed me, that I will not attempt to go into this except upon one point, and that is this whole matter from the point of view of the real estate lawyer.

I have been in this matter since 1883 — or probably since 1880. Here are some old circulars of the Citizens' West Side Association, and so on (indicating) that may possibly interest

you, signed by myself as secretary and counsel, and I will just hand those in to your counsel. Perhaps you might like to look over those.

Chairman Van Benschoten.—Thank you.

The Witness.—That will show how persistent a question and answer it is. You are now talking on just exactly the same lines as you were talking about 38 years ago, and have not gotten any further, and the reason you have not gotten any further, it seems to me is because all you Commissions have met the very smooth gentlemen from the Law Department of the New York Central, and you have listened to them, and you have heard all the rights of the New York Central, and that the city did not own this and the city did not own that, and so on, and as the subject was a very tiresome and disagreeable one to go into, questions on the title of the New York Central you have not gone into them, and nobody else has gone into them, and so the New York Central has always been able to carry off its bluff of owning what it says; whereas, as a matter of fact, if somebody would have the courage to take the bull by the horns, you would find the situation was very different.

Now, that is one side.

The other side is that of the people. You have heard Commissioner Tomkins here give a long historical account which was assumed to be the history of the starting of this Commission — it was not the history of the starting of this movement at all. The League to End Death Avenue, of which I was secretary, had many public meetings. We never heard of Commissioner Tomkins. We never heard of the commerce of the city of New York. We were interested only in one thing, and that was in something that was called Death Avenue, and you talk about the "Juggernaut Road," and the rails upon the road and the dead people as sleepers, and so on, and talking of the period of time they have been occupying the West Side, which was not exaggerated.

We held meetings and we drew a bill, which was intended to remedy solely 59th street. Nothing was ever heard of Riverside Park or Spuyten Duyvil. It was a very small proposition.

When we went up to the Legislature, the bill was introduced and we got along to a certain extent. All of a sudden, came this bolt out of the blue, which Commissioner Tomkins drew, and General Dewitt Warner, and was backed by the mayor and the powers in the Board of Estimate, and our bill was entirely side-tracked, and this other bill was passed against our most violent opposition. Everything that happened, I predicted before Mayor Gaynor signed it — that the bill had no teeth in it, that it was drawn merely to benefit the New York Central, and it would end in nothing, and that is exactly what has happened.

Now, there were hearings on that matter, and the real way those hearings went was this: One day Mayor Mitchel said, "I wish somebody would show me how we can stop the New York Central using steam on the land which it owns," and I said "Mr. Mayor, we answer that in this way — it does not own it, the city owns two-thirds of the land which it occupies north of 59th street and south of 59th street it does not own anything, and the railroad may own one-third for railroads teams." "Mr. Miller," said the Mayor, "I am sorry we cannot back your opinion. You know we have the opinion of the Corporation Counsel, who tells us that the railroad owns it." "Well," I said, "That is very interesting. Where can I see that opinion?" "Well," he said, "It is not in writing; it is verbal." "Well," I said, "Don't you think that is such an important matter that it should be in writing?" "Yes, yes, it should be in writing; we will get it in writing." And then Mr. Mitchel, who was not Mayor at that time — I have made a mistake in calling him Mayor — he was President of the Board of Aldermen, I think, resigned before the next meeting was held, and took a position in the United States Customs House, and remained there.

Then we had the meeting — then there was a general cry for the written opinion, and it never appeared. Then the whole thing was thrown back to the committee, with general contumely on the men who had dared to bring this forward; in fact, the whole thing was a fake, so far as the bottom fact was concerned — as to whether the New York Central owned the land which it occupied — that was admitted. Therefore, the matter stopped there. We were promised to have abstracts produced before the matter should

be brought up again, and it lay there probably from 1913 until about 1915 or 1916.

Then after a great talk about all the work that had been done on the titles, the 1916 report came out, and it was practically the same thing, but they twist it around. They had an opinion then of the corporation counsel, who suggests the city owned it, just as I contended, but he said the railroad had a use. He did not produce any authority, any deed or instrument by which the railroad got its use, and he admitted the title was in the city of New York, so that then they went on in spite of all the opposition which we could bring to bear in the Board of Estimate, with the hue and cry, and we were on the point of putting the 1916 report through. Then Senator Bennett and myself obtained the injunction from Judge Cropsey. It was obtained on my affidavit, covering about fifty pages, and I have it here printed and I will be very glad to submit that, all these affidavits here.

Q. We would like to have it filed. A. Raising the question in detail all the way down.

By Commissioner Ainsworth:

Q. Is that the case tried before Judge Manning? A. Afterwards tried before Judge Manning, I am coming to that, sir. The injunction was obtained in January, the preliminary injunction, and that held until May or April when we had the trial before Judge Manning. In the meanwhile, a popular comprehension of the real situation had become so widespread, with the danger of passage by the Board of Estimate where they first had had the majority, and were all ready to put it through, slap-bang, — had disappeared, and finally the city of New York declared itself ready to go on with the trial. It was in the later part of the spring and we did have the trial before Judge Manning, and Judge Manning decided against us after several days' trial.

I have here also a very civil criticism of the decision of Judge Manning, and with your permission. I will leave that too —

Q. File that also. A. — with your counsel, also showing the reasons why I think Judge Manning was in error. In the first place, I might mention that Judge Manning gave this decision, after refusing to allow us to submit briefs, gave the decision

at the end of a trial of two and one-half days, and from the bench. He had his decision—I won't go into it any further—it was merely a decision impromptu, and I have some remarks here which show it is exactly against Judge Cropsey's decision.

Q. Was any appeal taken from his decision? A. There was no appeal taken, because at that time popular decision had become so strong that it was impossible for the measure to go through the Board of Estimate, and the agitation was to get the Ottinger bill through. We were morally certain the Ottinger bill was going through the Legislature; in fact, it did go through before the sixty days were up, so that no appeal was taken, because as soon as the Ottinger bill went through the matter became of no importance, and it has rested in that position ever since.

Q. Your position is that the New York Central has not title to this land, and that its right-of-way is revocable? A. Now, let us go slow. My position is that it has no title to two-thirds of the land which it occupies north of 59th street, and that it has no title at all south of 59th street.

Q. Sure? A. Yes.

Q. We will admit that is so for the purposes of the argument. A. Yes, sir.

Q. What is your solution of the difficulty? A. That is another matter. I was asked to come here, and I was told I was to have ten minutes' time.

Q. We will give you more, if you will give us a solution. A. I am not prepared to give that solution today; if you will give me another opportunity, I think I will. I have an obvious solution.

Q. The statute has limited our life to the first of February. A. That may be.

Q. And it is up to us to do something? A. Yes.

Q. But you have been in this since 1883? A. I have.

Q. What is it? A. I am not prepared to give it, as I said, it is a very difficult matter. You might say the scene is changing every day. We get news from Washington and so on, and I would not like to, offhand, after there has been so much discussion on the matter, to bring out the plan which should be well digested and practical. I think there is a very thorough and practical one.

By Commissioner Beard:

Q. We would be very glad, Mr. Miller, to have such a plan submitted to us, if you would put it in writing.

Chairman Van Benschoten. — File it with us at any time.

A. I will try to do so, yes. Coming to only one more point, it is this —

By Chairman Van Benschoten:

Q. Proceed. A. That is in your minutes at page 160. As your minutes now stand, you have there the square statement by Mr. Place that the New York Central does not own the land west of the highwater mark, that is, two-thirds of the land. If you will look at the map showing the highwater mark, you will see that is two-thirds, just as he claimed. Mr. Place says this (reading): "I have had another map made which shows what was done," and shows the highwater mark which ran through the parcel, and so on. He was talking of a parcel, and he took the Moffat piece —

"The parcel at that point was conveyed by William B. Moffat." "You have here discussed the question of this highwater mark. Here is an illustration. Mr. Moffat at that time evidently owned the highwater mark." That is correct. "He conveyed whatever title he had below highwater mark, as well as the upland, to the Hudson River Railroad."

Now, he conveyed whatever title he had below the highwater mark, that is, he gave a quit-claim deed, and if you will examine the deed you will find that to be the fact. Then he says "later in that case, the city of New York, by grant dated December 23, 1852, conveyed the land under water, including what was covered by his deed, to Mr. Moffat, extending out a considerable distance into the Hudson River." And that is so, and if you know how a man who has made a quit-claim deed, and afterwards gets a title, how that after acquired title will pass under the quit-claim deed, why, you know something more than I think the ordinary real estate lawyer knows; or you can find any authority for; so that you have this statement by Mr. Place, and it is true. It applies all the way up and down. Those people knew perfectly well what they were doing. The line of high-

water — they did not get as much for the line above highwater as they did below, and as to below highwater, they only gave quit claims, and afterwards they got a grant from the city of New York. Now, in the first place, my point is that being only a quit-claim, the after acquired title would not pass. That only passes by warranty; but the second point is this: That this grant from the city of New York expressly excepts 12th avenue; and now here is the map, in the Moffat piece, that very piece. You will see there — there is 12th avenue. If you will look up that grant from the city of New York, and I have no doubt your counsel will do as Mr. Place has cited this as a specimen deed, and it applies all the way up and down, he cannot find anything up there, and you will find this land, 12th avenue, was excepted, and here is 12th avenue, and the red line shows the railroad (indicating on map.) As to this Moffat piece, — there is only a slight piece which is not in 12th avenue, and yet the grant from the city of New York to Moffat excepted 12th avenue.

Now, therefore, you have the statement of Mr. Place in this matter, as your record now stands, that the New York Central does not own two-thirds of the land which it occupies north of 59th street.

By Chairman Van Benschoten:

Q. Does that statement of his coincide with your contention?
A. Certainly. What more can I ask? He says we own it, and then we come to the one-third which they may own, upland. What are those deeds? Those deeds are all conveyances for railroad purposes. The wording is different, but that was the position. Now, there has been only one case in which that question came up. It came up in a case north of Spuyten Duyvil, about 213th street, where the wording was exactly the same, and the city had given damages, because they opened a street through such a street as this, and they gave damages to somebody that had title from the railroad, and then they are always upset, and they said "No, the original grantor of this land for railroad purposes, it having ceased to be railroad purposes, is entitled to these damages," and he got the damages. That is the authority. I will give you the case. It is the one case that has been decided, that applies as to the one-third.

By Commissioner Ainsworth:

Q. Granted that it does, what is the situation, the city wants the railroad, does it not? It wants a railroad. A. That is another question. You have asked me to come here today for ten minutes, and I came prepared to speak on that one subject. If you ask me to come again, I will be prepared to speak on another subject, but I want to finish on this, — that until you take the New York Central by the throat and call its bluff and say; "We know just where you are, but you don't own two-thirds of this land, and as to one-third you have a limited title" — then the New York Central will come down from its high horse, and you will be able to do something. That is the point I wish to make, and your record now shows that to be the fact.

Chairman Van Benschoten. — Thank you, Mr. Miller, if you will hand those papers to counsel.

By Commissioner Miller:

Q. Was there any subsequent deed from the railroad people? A. No. The reason I know about that Moffat deed was it was through the Wilson case, which was tried — Wilson was Hearst's father-in-law — against the New York Central. We tried it twice, and we took a week at a time, and we went into it very thoroughly. I have the minutes here. I am willing to leave the minutes.

Chairman Van Benschoten. — It is a matter of record.

Stewart Brown: The points I wish to mention are these: That you have two proposition in the handling of the freight; that is, freight that is from ship to land, and from land to ship, can be better handled on grade or by elevated or by subway.

You take all of the ports in the world, most of the handling is from land to ships, and is on grades; only a few cases by elevated. I do not know whether, of course — Mr. Harding said it would be almost impossible to handle it by subway from ship, and vice versa, but so far as from New Jersey to New York, from terminals, I think that should come by subway. You have two propositions; in the first case, the question of ships and

the question of local consumption. You have two things, whether you can make one proposition for both, I do not know —

By Chairman Van Benschoten:

Q. Those are some of the problems involved? A. That is the problem. I understand that Mr. Miller mentions, I think, that that is all ancient history, and you are up against a practical proposition, and that is, you will never get the New York Central at its present location. You know that as a fact.

Chairman Van Benschoten. — Thank you.

Now, the representative of the Municipal Art Society — I think it is Mr. Stoughton.

Charles W. Stoughton: Mr. Chairman and Gentlemen, I shall break in upon the line of argument, because the Municipal Arts Society and the affiliated societies, are only interested in that portion of the terminal which exists from 72nd street to practically Manhattanville, and in a lesser degree above, and that part of the improvement bears directly upon the appearance of the city, and with that we are concerned.

The one difficulty with the 1916 report, as also of 1911, was that it was completed and then submitted to all, without, practically, the assistance of any artistic body or power.

A great deal of opposition, which is hysterical, is interested in these particular parts. Some of the objections were casual, such as the temporary destruction of the park, and some were fundamental.

We took only a small part in that opposition, but studied the question very thoroughly, and I have these brief conclusions and one suggestion to make.

The conclusions were that so far as its aesthetic appearance, and the considerations of that part when it had not been studied other than with the eyes and the brain of an engineer. The engineers knew their business well; but it is a curious fact that there are two aspects to these things that concern the city, and the city within recent years has been paying some attention to the second aspect, which is the aspect of aesthetics, having found

out, fortunately, that a thing may be very beautiful without necessarily impeding either its use or materially increasing its cost.

The engineers went on the proposition that if the architects were called in at the eleventh hour and the fiftieth minute, with the engineering scheme completely elaborated, that they might be graciously permitted to embellish it. That is, however, wrong.

The architect — and I use that term as a landscape architect, and as nothing concerning the aesthetic province of the engineers — the architect should be called in first, and I submit that when this subject, with the lithographed plans, was brought before the Central Architectural Society, as the chapter of the Institute, and especially the Fine Arts Federation, which includes all of the artistic societies, and there are seventeen in New York city, that a most illuminating discussion was held, and it was discovered that what the engineers had said was practically the only solution, was not the only solution at all; there were others —

By Chairman Van Benschoten:

Q. What is your idea as to the solution? A. Well, I will make just one suggestion, Mr. Chairman.

Q. Yes. A. And that is, that in any future work of this kind that the architect be called in. The Fine Arts Federation is the federation of all of the artistic societies. It has the appointing to the mayor of the representatives on the Art Commission, from which roster the mayor selects one member.

Now, if in the future elaboration of this work, especially as it pertains to Riverside Park and the parks above, if it were submitted in this way to the Fine Arts Federation, it would delegate one or two, or a small committee of architects, capable of attending to it, and would, to that extent, safeguard the interests of the city.

I think it was partly that that gave room for this outcry, which I do not entirely agree to at all; but it was because no artistic consideration had been given to it, until it was all cut and dried, and then, of course, it was too late. We were asked to take it or leave it, and we regretfully had to say that we would leave it for

the present, and we do not wish to; we want to help, and the architects are capable of helping.

Q. Do you have any specific suggestions as to any change from what was the plan in 1916? A. Those are details; I won't take time to go into those matters of detail.

Chairman Van Benschoten. — Thank you very much.

Is there anyone else here whose name has not been handed to the secretary or to me? If there is, we will be very glad to hear him; anyone here who has not spoken? If not, we will adjourn at this time, and the next public hearing will be held in this room at two o'clock on next Wednesday, January 9th, when Comptroller Craig will appear as a witness.

(Whereupon, at 4:40 o'clock P. M. the hearing in the above entitled matter was adjourned to Wednesday, January 9th, 1918, at 2:00 o'clock P. M.)

WEST SIDE COMMISSION

LIBRARY, CHAMBER OF COMMERCE, 65 LIBERTY ST., N. Y. CITY.

January 9, 1918: 2 P. M.

Parties met pursuant to adjournment.

Present:

Chairman Van Benschoten, Commissioners Rounds, Stoddard, Miller, Ainsworth, Todd, Beard.

Judge Clark and Secretary Niles.

The chairman called the meeting to order at 2:30.

Chairman Van Benschoten.— Mr. Craig, if you will raise your right hand, I will swear you.

Charles L. Craig, being duly sworn, testified as follows:

By Judge Clark:

Q. Now, Mr. Comptroller, we recognize that no one in New York city is more familiar with this problem than you are

and we want to have on our records almost anything you want to say about this West Side terminal problem — I had hoped you would have opportunity to look over some of the testimony we have taken, but I understand you have not had an opportunity and I do not wonder, with the work you now have on hand.

In the first place, you might take up any question, if you care to, as to the historical development of this situation. We have had that pretty fully treated by your predecessor, Comptroller Prendergast, Mayor Mitchel, Mr. Place and Mr. Tompkins, and others. Then perhaps your criticisms of the 1916 plan might follow. We would be very glad to have that as fully as you care to give it for our record.

Then any suggestions as to the plan proposed by the Conference Committee in 1917, with any suggestions that you care to make as to your thoughts concerning the solution of the problem in the future. If you have read over the testimony we have already taken you would see we have gone pretty fully into the history of the various acts of the Legislature and into the history of the organization of the railroad and the rights which it claims on the streets of the city. A. Now, I have not prepared any statement as a witness here, nor have I had an opportunity to read the testimony which you have taken; and I came here not knowing what is in your minds or what has been covered or what remains to be covered. If you have any questions you care to ask, that might be the easiest way to get it started.

Chairman Van Benschoten. — Suppose we start with the 1916 plan?

Q. Will you give us your criticisms of the 1916 plan? A. I do not know whether you have had that. I concurred in the preparation of the report made by the West End Association under date of May 4, 1916 (producing pamphlet,) which embodied many of the criticisms made of that plan, and in the oral argument made by me before the Board of Estimate and Apportionment in 1917, a stenographic record of which was kept, I think you will find practically all of the criticisms. So if you have those two things it is only an unnecessary consumption of your time for me to restate them at this time.

Q. We have the statements of the West End Association in our files, and the two statements your referred to. But we have not had them offered in evidence. Would you like to have that offered as an exhibit? A. Yes.

Chairman Van Benschoten.—If the Comptroller offers those as the criticisms which he has of the 1916 plan we will take them.

The Witness.—I will offer the report of the law committee of the West End Association, dated 4th of May, 1916, signed by myself as chairman of the committee, and Rush Taggart, Eugene Blumenthal, Charles W. Lefler, John J. Phelan, Leo Oppenheimer and Antonio C. Gonzales, Jr., as expressing the views which I have. I have some other views not expressed in that report.

(Paper produced by witness marked "Commission's Exhibit No. 34".)

The Witness (continuing).—First, let me explain that I was drawn into this controversy in 1916, as I had been in 1913, by a question which originally related almost solely to Riverside Park and that part of the city contiguous to it. We found as the discussion continued we were drawn into a consideration of practically every feature involved in those plans and in the proposed agreement, particularly so in 1916. So there are many things not in this report marked here as your Exhibit 34, by which it could be supplemented. My recollection is that report does not deal, except in a very general way, with the general theory underlying the plan of 1916 as to the basis of the transaction between the city and the railroad company. That proposition or plan was, in substance, that the city should alienate to the railroad company certain lands and certain lands under water which appeared to be segregated and separate parcels, but which when added together would constitute a fee ownership in the railroad of practically the whole of the commercial waterfront of the Hudson River north of 59th street. Certain parts were not included, such as the dock parcel at 79th street and at 96th street and ferry at 130th street, and farther up. But substantially the whole of the commercial waterfront was affected by

that transaction, and that was contrary to the public interest in my judgment.

In the first place, as far back as 1870, the city was required to correct a condition made prior to that time, due to waterfront property passing into private hands, and it required the creation, under an Act of 1870, amended in 1871, which inaugurated the policy which was followed later, of the city acquiring its waterfront wherever it was desired to do so. That applied to the old city of New York; it did not include the borough of Brooklyn. The policy then outlined was followed by the acquisition of the vast amount of waterfront by condemnation and otherwise, and it crystallized into the charter this policy, by provisions in the charter. So at the outset this 1916 plan, as well as the 1913 plan, involved the total reversal of the city policy as to the North river waterfront.

Now, in addition to that, there was no reason advanced that I have heard anywhere for any such departure from the city's policy. Every railroad necessity, in my judgment, could be met by rights granted in a different form. In other words, take the land underlying the tracks of a railroad company, no railroad man could contend that the operation of locomotives and cars over those tracks would not be just as effective and facile, whether the railroad owned the fee under the tracks, or enjoyed a right to lay tracks there.

By Chairman Van Benschoten:

Q. This reference you have made to what you state as the alienation of the waterfront in the 1916 plan: by that do we understand that you include the present roadbed of the road or rights under water along the west of the roadbed? A. I include both as far as the city of New York has ownership in the land now occupied by the railroad company. I see no reason to change the ownership of that to make it the property of the railroad company. That principle involved other far-reaching things. I was one of the first to make the contention that the effect of that transaction, if carried throughout in the face of impending governmental control of railroads, might compel the government to compensate the New York Central Railroad, for property trans-

ferred into a railroad terminal in that fashion might be justly claimed by the railroad company under these conditions to have a value greatly in excess of its real estate value. The value of so many square feet under water, as compared with so many square feet of upland, and the number of square feet of water elsewhere, is a distinct and different value from the concession to control the railroad facilities of the waterfront over so much of that part of the city of New York.

The fee ownership of the railroad eliminated state control, either directly by the Legislature or by the Public Service Commission, and it certainly would have eliminated any shadow of municipal control. The reasons for that have been stated, doubtless, so many times that I presume you do not want me to go on with a repetition of them.

Q. On that point we would like to have your statement. A. Any railroad operating a line solely on its own land that is not subject to the Legislative control as to the manner of operation when in the control of the Public Service Commission under the powers of the Public Service Commission. I do not mean it is not subject to any control at all, but the very power the Legislature granted under the charter in 1846, and which is reserved under that act, — and as explained by the Court of Appeals in the case between the railroad company and the city, it would seem to have any practical operation or effect where the railroad ceased to operate under a franchise, practically abandons the franchise and operates on land owned by the railroad — of course, there are questions of taxation and other questions of policy, but there is no franchise taxation — it is argued that changes and improvements might enhance abutting property and develop contiguous properties, so that it might improve that property. Well, that operates both ways. No man can say that the erection of the elevated railroad in front of his property could improve it, in the face of the damage claims which have been paid by the city of New York.

Q. I think it was Mayor Mitchel who went on the stand and stated that one of the reasons why that theory was adopted was because they found in the roadbed of the railroad or in the

yard at 60th street, they would find a little piece of land which belonged to the city and a little piece of land which belonged to the railroad; and in making the improvement they would want to put an elevated pillar down and would have it on one of these plots, while another elevated pillar would be on another. They wanted some uniform ownership. What are your views on that?

A. I could not see a more fallacious proposition put before you. In the first place in the preparation of these and any other plans shown, there were no footings shown for any elevated columns, or columns of any kind. And then again, at the Grand Central station where the railroad uses only the sub-surface, and if you consider the conditions at Long Island and at other places throughout the country where the ownership of the public streets is in the municipality, the tracks are laid subject to that condition.

The real proposition of the checkerboard theory that is the fact that the city owned the fee and the land under water in front of the 60th street yard and owned the fee at 12th avenue, running through the yard, the argument was that that created a checkerboard ownership. That assumes the ownership of those streets in 12th avenue as of no public consequence now or at any time hereafter. It also carried into effect purpose of the railroad by adding that piece of property to another, that is, the fee of 60th street to the fee of 12th avenue, to the fee of 61st street, and so forth, to acquire in solido that waterfront. The effect of this 1913 and the 1916 plan would have been to place the railroad in exclusive occupation as well as ownership, of the waterfront from 59th street northward, and would have precluded in perpetuity the city of New York from opening any of those streets to the waterfront or erecting any piers there, or to relieve the railroad yard from the congestion of the traffic which now exists there, and on 5th avenue and other avenues; and added to all that, Mr. Chairman, it is just as easy to grant in the case of the pier footing or supporting column, in case any of those came within the line, it is easy to grant a right to the footing as to grant a fee for the whole street.

Q. Your theory was that on city-owned property a certain right should be granted to the railroad for railroad purposes?

A. I will say that it is contrary to the interests of the city of New York and to public interests generally to alienate land under water, or waterfront property, or streets or avenues for railroad operation as proposed on these plans.

Q. And if any plan which might be worked out by the railroad company made it necessary for the railroad company to have the use of that property in the city, it should be given on some certain rights or certain franchise, rather than in fee? A. A franchise; I favor the franchise rather than the easement. And let me add one thing as to the treatment I proposed of the waterfront from 59th street to 72nd street, inclusive of 71st street, as the park begins at 71st street. It owns a certain amount of land under water outside of the bulkhead. It owns the 58th street pier. Unless my recollection fails me, there are certain piers owned by the railroad under the lease of 1880 which have ceased to be the property of the railroad company.

These streets in my judgment should be open to the public, and the street ends should be improved with public piers. The railroad cannot very well be heard to object to that, as it acquired its water grant from its predecessors in title, with the condition that whenever required by the municipal authorities it would open, regulate, grade and pave when necessary. The same covenants were defeated in the grants of the upland; so the corporation counsel said, it is there both ways. With that condition existing the Legislature obviously, upon the motion of the railroads in 1887 passed an act which purported to discontinue those streets from the city map. That is the act which authorized the erection of a parapet which runs down the easterly side there, towards 60th street.

By Commissioner Beard:

Q. You discuss that in your memorandum, do you not? A. Yes.

By Chairman Van Benschoten:

Q. Give us that—Mr. Place made a reference to it. A. My recollection is that when that bill came from the Legislature for the signature of the mayor an agreement was made in writing—

By Commissioner Ainsworth:

Q. What year was that? A. 1887.

Q. Did bills go to the mayor at that time? A. It must have come down.

Q. Was not that embraced in the constitution of 1894? A. I do not know about that; it may have come through opposition to the bill before it went to the Governor. That may have been the way it came up. At any rate whether it came up before the mayor or not, that is the point.

I will read now from page 13 of the report concurred in by me, entitled "Riverside Park and the Waterfront," a summary of that matter.

That is preceded on page 11 by a statement that that act of 1887, the effect of which was to strike from the agreement of the railroad company and the deeds and the leases, all of the obligations which the railroad had assumed toward the city of New York in regard to the opening, regulating, grading and paving of these streets and avenues; and now (reading from the report):

"Before this act was signed by the Governor, and probably to prevent its being vetoed by the Governor, the railroad company entered into an agreement with the Mayor of the city of New York, which contained a provision to the effect that if the Governor signed the bill and it became a law, the railroad would at the next session of the Legislature cooperate with the authorities of the city of New York in obtaining the passage of an amendment thereto which would open any or all of the streets thus discontinued and walled off. While it may have been supposed that such agreement would have been effectual, it was not, in fact, one that the Mayor was authorized by law to make. Be that as it may, whatever the reason, the fact is that neither at the following session of the Legislature, nor at any other time did the railroad company or anyone else, procure the passage of an act to repeal or amend such chapter."

Now that agreement was in the Astor Library, and if your Commission wants it I think I can tell you where the original is, by

reference to some papers I have. The same proceedings were taken with respect to it at a later date.

Chairman Van Benschoten.— We will be glad to have you state it.

By Commissioner Beard:

Q. It is your impression this agreement was committed to writing? A. Yes. It could be executed by the city only, by the sinking fund commissioners, so the city was not able to pass a legal claim for it, and the railroad did not propose any legislation in the following session to get rid of that.

By Commissioner Stoddard:

Q. Did the city propose any and seek the cooperation of the railroad company? A. As far as I know, no. I think the act of 1887 was unconstitutional; the Legislature had no power to pass an act impairing the obligation of the contract between the city of New York and the railroad so as to strike from it the obligation of the railroad company to open, regulate, grade and pave those streets.

Now, the corporation counsel has rendered an opinion that the legislation was unconstitutional and rendered nugatory the land obtained under water and the leases made with the city, and the leases by which the New York Central obtained the right to operate there. The covenants of those leases was a consideration. There was a money consideration paid by the original grantees, as well as an obligation to do certain work and furnish certain materials, that were of substantial value to the city of New York.

I state this with a little hesitation, but I think there is a question whether the city of New York today could subvert the title of the railroad company to all these lands on the ground that a condition subsequent, which was part of the consideration for the grant, has not been performed.

By Judge Clark:

Q. Will you give us the date of the opinion of the corporation counsel you have referred to? A. You will find it in the Law Journal of July 5, 1915.

Now, to go back to the pier plans from 59th street to 72d street. The contention I made before the Board of Estimate and Apportionment, and the one I adhere to, is that the city should retain the fee of each of those streets; that 12th avenue should be continued through the railroad yard by a viaduct connecting with Riverside Drive at, say, 79th street, and going to grade, at say, West 57th street.

The engineering feasibility of that viaduct has been, I might say, violently disputed by the just-retiring commissioner of docks, and sustained by the chief engineer of the Board of Estimate and Apportionment, and I assume we can take the authority of the engineer against that of a layman; and I never heard the dock commissioner question the engineering feasibility and the desirability of the erection of that viaduct.

By Commissioner Stoddard:

Q. Has the cost been gone into? A. Yes.

Q. Not very materially affected by that? A. It would be material, but not a great cost.

Q. What traffic congestion would that relieve? A. It would relieve a very great portion of the traffic now coming down 5th avenue and Broadway. There is an enormous motor-vehicle traffic that comes down Riverside Drive and is forced into 72d street, and must cross Broadway and go into Central Park, or go down Broadway at 72d street.

Q. It goes down in continuation of 11th avenue? A. Eleventh avenue is not a feasible motor highway.

Q. What is the avenue there? A. It is West End avenue. It is not a feasible motor highway on account of paving, and it never can be. If you had a terminal improvement at 59th street, you would have congestion of trucks there. That is forced to cross at 56th street and Columbus avenue, which is one of the worst crowded places in the city of New York. It is a converging point there for streams of traffic and trolley lines. You repeat that same condition coming down Broadway at Columbus Circle, except that you have the 59th street crosstown cars and the 8th avenue line and the Broadway line as well as the vehicular traffic that flows into 8th avenue and goes across 59th street.

Now, if you had that traffic, much of which is destined to points below 59th street, it would go over this viaduct and would strike West 57th street, west of 11th avenue, and go down over one of the intervening avenues.

Q. I agree with you as to the congestion, but not as to the destination. Most of these people want to go to the shopping district and to 59th street, and they want to get there as soon as possible. A. I do not think that can be determined without inspection and collection of statistics.

Now, take the traffic which is forced through Central Park and down 5th avenue; I know what that is as I pass down there. There is not a man who goes downtown on a car in 5th avenue who if he could keep out of it and go down this viaduct, would not do it in a minute. It saves his time and has every advantage in its favor.

So, as to all motor vehicular traffic destined to points below 72d street, as far south as 59th street, you get a complete diversion, and a relief from traffic congestion, which if not remedied, will make sub-surface streets necessary.

Now, at the end of each of these streets at the railroad yards, if there was erected a modern two or three-story pier, the second story of that pier could be connected with the 12th avenue viaduct, and to serve a number of those streets could be conducted over the viaduct, one-half of them or less. The lower level of the thirteen piers could be leased, every one of them, if the railroad desired so many, to the New York Central Railroad Company. A vessel berthing in at one of these piers, say one engaged in coastwise traffic, bringing in tropical fruits, coffee, sugar, bananas and rice, would discharge at the lower level all to go out over the New York Central; and on the second level, all not to go to the city of New York could be taken over and housed in these terminal buildings along 11th avenue.

The revenue which the city of New York would obtain from those piers is a substantial sum. I do not know whether you have any figures on that, or whether I should attempt to give them from memory; but on any market rates for money and nominal rates for construction, the net revenue from these piers should be \$35,000 a year or more than that from each pier.

By Chairman Van Benschoten:

Q. And the New York Central would have as much pier space as they have now? A. If the railroads contended that is not so, it is for them to bring the evidence to verify their statement. It might be policy to use one or two for transfer bridges so that cars could be transferred from floats to trucks along there.

And, now that treatment of that locality from the public point of view is in my judgment fair, far and away superior to anything proposed by the railroad company. You put right there at the base of supplies, food which can be distributed from the region as far north in Manhattan as Harlem, and to the hotel district south, and as far east as anybody wants to take it.

A lot of fruit has been proposed in Florida, and they claim they can supply the world there. They say they shipped the stuff to New York and all they get back under present conditions is a freight bill.

There are many coastwise steamers from there to New York which I do not see why they should not bring that fruit back and forth at these piers, and you would get staple food, like potatoes and sugar. That, in a general sort of way is what I want to see at that 60th street yard. I do not know whether you want to go north or south of that yard.

Q. With those views in mind, will you give us your opinion as to the proposition north or south? A. I will take up first — I do not know whether we are criticising the 1916 plan or taking the matter as it comes along.

By Commissioner Ainsworth:

Q. I am more interested in your idea of the solution of the question than I am in the criticism of the 1916 agreement, so that is past and dead. If you have any valuable suggestions to make us, in order that we can make a valuable report, I should like to get them. A. I will give my views and you can determine the value of them. If the Legislature even having recommended it, they could not enforce it.

Q. I suppose you, like us, are looking for an intelligent solution of this problem. If it is feasible and practicable from a railroad and operating standpoint, we would like to make a plan

which would be in accord with the views of the new administration's view. I can only give you my views. Now, beginning at the upper end, my judgment is the railroad tracks should go under the ship canal by tunnel, instead of crossing by bridge, and they should be depressed all the way down on the waterfront. If that was within the contemplation of the city and the railroad company in 1846, as they assumed an obligation not to interfere with the waterfront of the city, the purpose of the grant to the railroad at that time was to make it a through line between two terminals, Albany on the north and New York on the south, and there was no thought or question that that grant should be used for the purpose of obstructing the waterfront of the city of New York, then or thereafter.

Now, a surface railroad north of 72nd street is an absolute impediment to the practical use of the waterfront of the Hudson river. From the railroad operating point of view, the depression of those tracks a few feet is of no consequence whatever — I mean by that, trains could operate over a depressed or covered railroad as economically and as rapidly and as effectively in every way as they can on the surface; in fact, more so, as you eliminate all possibility of interference by trespassers or those who might get in the way of your train.

By the Chairman:

Q. In 1916, that in the park was to be covered but not depressed? A. If the railroad goes under the ship canal by tunnel, instead of over it by bridge, north of Dyckman street, you have eliminated the surface question. Now, the contention has been made by the railroad company that the grades which were required to go under the ship canal were prohibitive; and if you examine the plan of 1916 you will find the grade to go under the ship canal is the same as the grade which they have planned for going over the bridge.

Now, all the way down to Fort Washington Park and below that, a very slight depression of the track will permit of their being covered over, so that the city's waterfront is not being destroyed for all future purposes by a four or six track railroad operating there in the open.

One of the objections made by the railroad company was that there might be seepage to interfere with the railroad operation, but there are methods of water-proofing sub-surface construction, and the Pennsylvania tunnel and the subways under the East river, and other tunnels of that kind have ended all doubt about the question of seepage.

Now, when you go down to Manhattanville —

By Commissioner Beard:

Q. Before you go there, Mr. Comptroller, as I understand in one of the early plans there was a proposition to establish a yard at Inwood? A. Yes, sir.

Q. What is your opinion on that point? A. As I have to act officially on that during the present administration, I will have to speak with caution. One of the last things which came through from the last administration was a lease, or what purports to be a lease of about 400 feet of waterfront of a location which the railroad has selected for its railroad yard as far back as 1913. I understand there is a question as to whether this lease is effective, and if it is effective it decides a great many things, and as I will have to act on that in an official capacity, I do not care to go into that now.

I noticed in the exhibits that Judge Clark had a moment ago, a communication made by former Dock Commissioner R. A. C. Smith to certain maritime organizations in 1916, August, 1916, I think it was. At page 33 there is a reference to what he calls a marked development at that region — no, I am in error as to the page number. It is in this book which refers to the locality, without reference to special name. This lease for land under water was pending before the Commissioners of the Sinking Fund at the time that this report was put into circulation.

By Chairman Van Benschoten:

Q. Have you given any thought as to whether the general purpose of the yard there is desirable? A. I cannot say that I have studied it so as to reach any definite conclusion on it. There is an act of the Legislature which has fixed the State Barge Canal terminal, called the Port of Call. It has been asserted that the

terminals will be located elsewhere, but by the act of the Legislature, so far as it is concerned, it is still located there and this yard the railroad was to have there, it was according to any recollection, immediatly south of Dyckman street.

By Commissioner Todd:

Q. Is that the one known as Inwood? A. Yes, sir. It is a stretch of land running from Dyckman street to the ship canal.

Q. There is a yard there now? A. There is a station or something there.

Q. Now, some statistics were furnished to us by the New York Central, and there were a certain number of cars received and shipped out from that point. A. I do not believe there is a siding there. I think there is a little station there. Yes, there is a short siding for a few cars.

By Commissioner Rounds:

Q. Do you understand that any property has been condemned for terminals for that Barge Canal terminal? A. I have understood both ways,— that the title was acquired for some, and then it was gotten rid of.

Now, in the Manhattanville region the plans of 1913 and 1916 provided for a large railroad yard north of 135th street. That was claimed by the railroad people to be necessary for the accommodation of the Harlem traffic. I forget the total number of tracks in the 1916 plan. There were more than forty. If you examine that track plan you will find that only seven of those tracks are accessible to Harlem, and the rest of them form a great marine terminal. In my judgment, as far as Harlem is concerned, the ideal place for a terminal is in Manhattanville valley, between 130th and 132d streets, and eastward from 12th avenue to Broadway. There is room for all of the tracks and terminal buildings over the tracks that Harlem can acquire for a century to come. And a terminal located in the Manhattanville valley, towards Broadway, could be easier reached from the present tracks or any relocation of tracks that has been proposed in any plan. That terminal would mean every truck would make a trip at least a mile shorter than by the plan of 1913 or 1916,

along the waterfront to 135th street. It seems to me if the reason for the yard is the accommodation of the traffic of Harlem, there can be no two minds as to the total abolition of any uncovered freight yard as proposed by the 1913 and 1916 plan.

As a matter of fairness to property owners who have been assessed for the extension of the park and who acquired and dealt with property on that condition and understanding, to thrust in front of them a railroad yard of forty or more tracks, would mean a pretty absolute breach of faith on the part of the city.

By Commissioner Ainsworth:

Q. But would they not be compensated? Did not the case of Hearst, Mr. Hearst, decide that they would have to be compensated for that? A. I do not think so.

Q. Well, I have just obtained a decision, where I used that case. A. That was a theory of the added burden put on the property of it being sustained in her case. Even so, the city of New York cannot afford to change the character of a new building locality simply because the owners of the property can recover damages which they sustain.

Q. I do not want to argue it with you, but I had this thought; if it be true that a large part of the food of New York city comes in over that road, and a large part of the merchandise received and distributed by the merchants and the business men of New York should require now or in the future added facilities, it does not strike me that an added burden put on any property, for which the owner is compensated, would be made a sufficient ground for an injunction to the business men of the city.

A. But you have made assumptions which it is impossible to maintain. Moreover, I do not know whether you consider this is a proper or best location for this kind of yard. In 1913 they proposed a classification yard. In 1916, I do not know that that was mentioned as a classification or other kind of yard.

Q. I am only trying to draw out the fact that a man is recompensed by damages which he sustains, that that does not strike me as a forcible argument against putting in these facilities which will help the business men of the city. A. The Legislature at the last session, or the year before, in order to protect

the property in the city of New York passed a zoning law which required them to fix conditions as they are now, unless there is good reason given to the city of New York for altering them. As to the height of buildings and other conditions; and that zoning law was made just for the thing you have suggested, that a locality could be destroyed because someone with more vociferous powers could convince a public body dealing with the matter.

Q. But that is based on police power, and on the life and health of the inhabitants, the food question. A. If you will examine the zone plans, you will find that we are zoned to permit the use of certain property for railroad purposes, and other zones to exclude them from other property, and that is the essence of the zoning plan.

By Chairman Van Benschoten:

Q. Mr. Comptroller, I assume from what you have stated that it is your contention that this yard is necessary somewhere—we all admit some yard is necessary somewhere? A. Necessarily; but not in the city of New York. At Spuyten Duyvil creek, in my opinion the New York Central, with all the land available at Croton, cannot fairly be heard to ask for any use of the upland of Manhattan Island, as the yard properties of Manhattan Island should be those incident to terminal facilities.

Q. It is your view it could better be located between Riverside and Broadway than out on the waterfront? A. Yes, sir: a terminal. Now, that location would have a great additional value, because of the saucer formation of the land there. You get a track level at one elevation, and your truck access on Broadway would be at one side, and 132d would be at a different level; so that it affords the maximum condition for such purposes.

By Commissioner Stoddard:

Q. Why, if that is the fact, why do the merchants of Harlem seem almost unanimously in favor of the other yard, and not in favor of the Manhattanville yard? A. I do not know that they are. I know that Mr. Place, the general counsel of the New York Central would like that, and I would regard any expression

of the Harlem Chamber of Commerce as the expression of the New York Central.

Q. Can you express any substantial sentiment which has been manifest, of Harlem merchants in opposition to it? A. I do not think you can gauge it from that. The actual expression of the public view is no expression of public opinion.

Q. But the business men of Harlem could understand that a yard here, a Manhattanville yard over here, (indicating), they would know which was in their interest in the matter of long or short haulage and of quick access to trains, no matter what the newspapers say. They know that of their own practical knowledge, do they not? If knowing that they raise no protest against this, you say this is wise; could you reconcile those two statements. A. They may raise no protest against the 1916 plan, as they have been told that is the only practical solution.

Q. That has been in public mind and public print as much as this. A. More recently, yes.

Q. Now, why have we not heard in a more substantial way from the business men and the merchants of Harlem, that they would prefer this (indicating on pencil sketch) with the short haul advantages. A. I do not know what efforts you have made to find out what their view is.

Q. Why, no one else has heard, then? A. I do not know that no one else has or has not heard.

By Chairman Van Benschoten:

Q. One of the representatives from a Harlem organization approved the idea of the maritime development at that point, with piers for shipping at that point. That is going beyond what the New York Central presented. The Harlem representative of the organization was in favor of the 1916 plan, saying that it was hard for the railroad to switch in under the viaduct.

Commissioner Stoddard.—Yes, but whether for aesthetic or other purposes, or the purpose of preserving our river front, which we should have in mind, the fact is that the establishment of this yard here (indicating) has not aroused among the

merchants of Harlem, speaking for myself, the opposition which I should expect to have aroused amongst them against this. And since you have followed public and private utterances on this subject, I would like to know if you can offer any explanation for that?

The Witness.— May I ask a question?

Q. Yes. A. Have you ever had anybody from Harlem make this plan and express objections to the location at Broadway and 130th street?

Q. Yes; a representative of the Harlem Chamber of Commerce. A. Outside of that.

Q. I have not made a canvass on that subject. A. There are only two places where these plans exist accessible to the public, one of them is at the New York Central terminal building and the other is with the Secretary of the Board of Estimate and Apportionment, and it is practically impossible for the general public to make an examination of those plans there, that is, a substantial part of the public. The plans require such a technical understanding to get their clear meaning. Now, printed and lithographed sets of plans were made, and they were put into circulation as a result of my objections there. The public could not get an idea of it there, for they had to wait for the presentation of the Port and Terminal Committee or for one urging those views. But I do not believe that the fact that several residents of Harlem failed to protest against the location of the yard at any particular place should have weighed with this Commission. I think this Commission should consider the state of the public information as a whole with regard to it, and to determine the question for itself. I think this Commission, sitting here, is just as competent to have an opinion on that point as anybody in Harlem, and it might be more competent to give an expression of view. I cannot understand how a man would prefer to haul his goods one mile further than necessary for him to haul them.

By Commissioner Stoddard:

Q. I cannot agree with you, that the merchants of Harlem having this matter before them in the public prints for sev-

years back, were unable or indifferent to the additional haul in the delivery of their goods, hauling back of the viaduct and hauling to the water front; I cannot agree with you that they will sit there in this intense agitation of the subject that they are in, and remain ignorant of this matter. A. Mr. Commissioner, I do not know whether you read the proceedings of this bill or the proceedings in the Board of Estimate and Apportionment. If you did, you must have been struck by the thought that representatives of bodies going there were confronted with questions from the Chairman, and they professed ignorance of any set of plans.

Q. I am speaking of the merchants generally. A. Well, I guess they were too busy trying to make a living to follow this up. I do not know how you would get the opinion of the merchants up there unless you subpoenaed some four or five hundred of the merchants not connected with the Harlem Chamber of Commerce, and a few who were connected with it.

By Chairman Van Benschoten:

Q. Now, we were on our way downtown. A. Riverside Park — there never was in my judgment any justification for putting the railroad in to the park. Mr. Olmstead, the landscape artist, said that the ideal solution was the depression of those tracks in front of Riverside Park, and in the present location, substantially; and his only reason for not doing that was that he was informed by an engineer that the railroad considered it impracticable. That question has been gone over by the Public Service Commission in connection with this Joint Conference Committee report which is now before you.

Q. That is what you favor. A. The depression of the tracks in substantially their existing location; covering them over and placing the driveway on top of them or an additional driveway the entire length of the tracks. There certainly should be a connection from 59th street down, to connect with this Twelfth avenue viaduct.

Q. What are your views as to 79th street and 96th street, their present use on the waterfront? A. There is a case of that kind now in the court in which the judiciary is divided, a majority,

however, are in the Appellate Division, as to the use of the waterfront at 79th street and 96th street. The Appellate Division has held there is no waterfront for 1,100 feet at 79th street and the same would apply at 96th street. That being so, such an Act of the Legislature passed in 1894 and 1895 for the protection of Riverside Park, and improvement of the property abutting on that property, is of no effect whatever. That will be ready for argument within the next four or five months.

By Chairman Van Benschoten: .

Q. Now, are there any further questions on Riverside Drive? If not, we will go to your solution of the proposition below 72d street. A. We had reached 59th street.

Q. As to the waterfront — but as to the handling of the railroad proposition below 72d street, in view of your opinion as to the development of the waterfront and the holding open of these streets and the viaduct? A. I do not quite understand your question. I thought what I said had covered it to 59th street.

Q. Did you mean a viaduct for all of the railroad tracks there? A. No, sir; that is for vehicular traffic.

Q. Where are the railroad tracks to be, between 59th street and 72d street? A. Where they are now.

Q. Surface, elevated or subway? A. If you bear in mind the topography of the ground, that may answer your questions. With respect to 70th street the tracks would be some twenty feet or thereabouts below 70th street. East of the parapet wall it is twenty or thirty feet above the railroad tracks, so the present railroad tracks at their present grade would not interfere with the street traffic. As a practical matter, the city should not open the street the elevation of which is such it would require a crossing of tracks at grade.

Q. Now, from 59th street down. A. In answering this question, I do not know whether the Commission is considering it from the point of view of changing the New York Central track, or from the point of view of the city and port of New York on the question of congestion and better facilities.

Q. We are considering it from the latter phase. A. In my opinion you have three different questions — at least south of

59th street. You have the question of the traffic originating in the Borough of Manhattan destined by rail to points outside of the borough, whether by the New York Central or other railroads; and the traffic entering the Borough of Manhattan originating at points outside of the Borough of Manhattan, and coming in by rail. Then the question of traffic between the city and navigation companies,—that is, between the Island of Manhattan and the navigation companies that occupy piers on the Hudson river, and which have nothing to do with railroads at all. In addition, there is the marine traffic exchanged between the navigation companies and the railroads. That works two ways,—the steamer berthing in Jersey City may bring from Liverpool freight consigned to a certain point on the New York Central, say, Poughkeepsie. On the other hand you have to think of the steamships berthing on the Manhattan side and carrying forty cases of olives or olive oil, consigned from some point in Spain over the Erie road to Keokuk or some other point in Iowa, on the C. B. & Q.

Then you have the traffic to consider that comes into the steamers berthing on the Manhattan side, routed over the New York Central. Now, if you will distinguish between all those different classes of traffic, I think you will get far more readily to a solution of the difficulties that you have to deal with.

You have only to consider for a minute that enormous congestion that exists on the Hudson river waterfront now, West street, and on that marginal way, which is due primarily to the fact that the bulkheads and piers are being used as railroad terminals by roads, whose rails do not reach the Borough of Manhattan. A pier is leased by the Erie railroad, and the Erie railroad uses it practically as a freight station, so that freight originating in the Borough of Manhattan, and going to some point on the Erie railroad, is taken by the waterfront on Manhattan, for no other reason than that the waterfront property is being used there for railroad station purposes.

Now, if there is any plan—it seems to me there is,—by which the rail traffic that originates in the Borough of Manhattan, and is destined to points on the New York Central, or on any other railroad, by which that traffic can be kept away from the

waterfront, you have taken a big step toward the solution of your whole problem, because you have at once relieved the waterfront of the biggest part of the congestion that it has. You have left the waterfront free for marine business, and you have provided facilities that will give shorter haul, and less congestion for all your freight traffic in the Borough of Manhattan. Now, if I have made myself clear on that, we will take that angle up first —

By Commissioner Miller:

Q. Do you think, Comptroller, that the waterfront should be used for marine business, and not for railroad freight? A. I think it should be used for that, and for only such railroad freight as handled by the navigation companies in exchange with the railroad companies, and I do not mean by that to take it across the river to Jersey; in other words, through business that has to be exchanged between the railroads and the navigation company.

Now, if you have a freight subway running down Manhattan, and you can take your own avenue, with or without the consent of the New York Central, the New York Central places obstacles in the way of solution, that determines whether you use 11th or 10th avenue, or West street, or some other avenue, but to leave the New York Central and its rights out of consideration for a moment, and assume that it stopped at 59th street, and that you had a new terminal railroad corporation owned by somebody else than the New York Central, taking from the New York Central its traffic at 59th street, destined to a point south of that, and deliver all outbound traffic to the New York Central at that point, if you came down 11th avenue, with a four or six-track subway, and personally at the moment I am inclined to think that a six-track would be better than a four, even though it would require some additional expense — and at two or more points to be determined by traffic necessities, to locate sub-surface yards to the east of 10th avenue, if you are using 10th avenue as you come down below 30th street.

Now, a sub-surface yard is not anything more than an ordinary building site excavated for the cellar, before you erect your

buildings over it, so that if you took say for a unit, a block of property bounded on the west or say 10th avenue, and on the east by 9th avenue, and on the north by, for illustration, 28th street or 18th street, for that matter, and on the south by a street two blocks south of that — you can turn these tracks in there (indicating) so as to occupy practically all of the surface of that area. So far as the intervening streets is concerned, you can restore the surface after your tracks are there. Now, over that yard, laid in that fashion, you can erect the terminal buildings. Your unloading can be done upon the track level. I may say that this is a thing I have had considerable experience with, because I was a party to practically that whole of the arrangement for the making and operation of the great Sam Cupples Station Terminals at St. Louis, and which is practically this same proposition —

By Commissioner Todd:

Q. Sam Cupples station terminal?

By Commissioner Ainsworth:

Q. Sam Cupples station terminals — I have done a lot of business with them. A. A couple of years ago he died.

Q. Yes, I know. A. Your unloading today, done upon the yard level, by the ordinary unloading platform flush with the floors of the cars. You could use a form of under truck or electric truck for taking your goods to the next level, which is the street level, and where you can distribute to the trucks of the transfer company, or to the trucks of shippers, if they send them there, the shipments that are coming in over them. Of course, I speak now chiefly of the merchandise terminal. I am not talking of a coal yard or a lumber yard or a stock yard, for that unusual class of traffic.

If the unit I have suggested here does not give you enough track area, you can extend it eastward without limit. You can go under Ninth avenue over to the next avenue, and you can extend it so as to go southward or northward, as the case may require it; but I think that situation could probably be better met by the location of a greater number of terminals, should the business of the city ever require it. It has the advantage of flexi-

bility. You do now what present conditions require, and you can do hereafter what the future may require.

By Commissioner Miller:

Q. You mean locate others in different parts of the city? A. Yes, sir; you can locate a sub-terminal across town, of course, if you want to. A freight subway costs more than an elevated railroad, but when you take into consideration public sentiment, against an elevated crosstown, you may as well abandon that, perhaps, because it never would be tolerated. The location of the subway beneath the surface to reach a sub-terminal, on say the east side of Fourth avenue and Astor place, would localize traffic over there at that terminal that otherwise has to come across the streets, the avenues, Broadway and all the others, and not only imposes an additional expense upon merchants and shippers, but adds to street traffic, increasing the congestion.

By Chairman Van Benschoten:

Q. Do you think that eliminates the consideration of the elevated along the West Side? A. I will come to that.

Q. Do not let me interrupt you. A. I think it will have that effect, and I am inclined to think you may agree with me, but we will come to that. Now, then, you can erect buildings over this terminal to any height that the zoning law will permit, and of course, if the zoning law prohibits the terminal, there are ways to get it modified. Every merchant ought to be required to take or store his goods on the day of arrival. In my judgment, the time has passed when the railroad terminals or yards or sidings of this country ought to be used for storage purposes. It is a matter I assume your Commission is familiar with, that free storage, for varying periods from 24 hours up in some cases to, I think, six months, that I know of in New York city trade, is part of the inducement to attract certain kinds of business. There is no greater way to put a railroad out of commission than to tie up its cars in the yards on sidings, so, all this traffic ought to be unloaded in this terminal immediately upon its arrival. I do not know why you could not unload every car that you bring in there by eleven o'clock in the forenoon, if you start with a clean yard, at say midnight, and your stock begins to come in at mid-

night up to seven o'clock in the morning, with modern unloading facilities, you could clear it all up in three or four hours at the outside.

Your street level would be used for the accommodation, we will say, on one side for the city deliveries, that is, the deliveries going out to merchants of the city. Now, whatever remains there at the close of the day that has not been called for or delivered, should be put in storage, in the upper part of the building; but my impression at the moment is there ought not to be any encouragement for long-term storage in that kind of a building. It ought to be limited to short periods. Now, when your cars are empty, they are available for taking business, and your other side of the terminal can be your receiving side. That is a matter of detail, that any competent railroad man can advise you on. There is no real objection to shipping and receiving on the same side, but some fancy a division of it.

The business consigned to the Erie railroad ought to be in sufficient volume — I take the Erie, for example — ought to be in sufficient volume on that terminal, to load in what the railroad men know as station order. I do not know whether I am giving a new term to the Commission, or whether you are all familiar with "station order loading?"

By Commissioner Stoddard:

Q. We have all had it, I think. A. You have all had it, yes. Well, so you come to the close of your day's business, and your stuff, is all loaded and your station in order, and your building is all loaded up — each particular floor, the second, or whatever the case may be — the work goes on, and it is easy enough to dispose of the New York Central stuff. You take that to 59th street, and it is delivered by the New York Central. Now, the Jersey roads, in my judgment, should have their car float terminals unified; in other words, there should be a union — what you might call a union transfer bridge location, so that you will have room there for a half a dozen or more car floats, to come in at one time. By a simple system of despatching by telephone, a despatcher there can keep in touch with every railroad on the other side, so as to avoid any undue congestion of car

floats at any particular time. Now, those floats come to the transfer bridges, and freight is destined to this terminal.

By Chairman Van Benschoten:

Q. Having been classified in New Jersey? A. That is incoming stuff.

Q. Yes, incoming stuff. A. There may be a carload of beans from Florida.

Q. But would not there have to be a classification in New Jersey, making it impossible to handle a proposition of that kind?

A. There might be, as to less-than-carload business, but bear in mind your incoming traffic will contain a much larger percentage of carload traffic than your outgoing traffic.

Q. That is so. A. Now, when they come across the carfloat I see no reason why those cars should not be taken across the marginal way on the surface, and let into it from the subway. I would enclose them and put a building over them, and the moment you strike the building line on the marginal way, so as not to have that land used solely for the purpose of the surface tracks —

By Commissioner Stoddard:

Q. Have you any idea how many cars would come across?

A. I have not got the statistics. I assumed your Commission was doing that work.

Chairman Van Benschoten.— Two thousand.

Q. Two thousand? A. I know a very great number.

Q. Very great number? A. You may have to have a number of these terminals. I am only taking one as an illustration.

Q. If you are going to have a concentrated carfloat station, do you realize the obstruction to the marginal way there would be in having these cars going in and out? A. I think you would be justified in closing the marginal way for one or two blocks in such a location, and let the traffic go around it.

By Commissioner Miller:

Q. Would that be better than a tunnel from the river? A. You still have your tunnel proposition. Those terminals should

be a location that can be reached by a grade under the river. I do not express any preference for the carfloat proposition, but I merely indicate that as the way that can be tried before you are committed to any great outlay, and while conditions are abnormal, due to the war.

By Chairman Van Benschoten:

Q. May I ask one question there? They come in from carfloat across the marginal way; now, how do you get them into the subway? A. They go right down and come around.

Q. Inclined way? A. On a grade, of course. Now, that I may say, before I forget it — I am inclined to the view that a railroad terminal company of that kind ought to be a municipally owned and operated one, either directly or indirectly, and on the financial side of it, it becomes — assuming the railroads go back to private ownership, after the government gets through with them, it becomes merely a question of rate divisions between the terminal association, whether it be municipal or not, and the connecting lines, and a little experience will very quickly develop what is a proper division.

By Commissioner Stoddard:

Q. Have you looked into the costs of this thing at all? Excuse me — if you think otherwise, I will put that aside — we will put that aside. A. In a general sort of way, I know building costs and subway costs and railroad track costs, but they are based upon normal conditions, and I have not attempted to adjust that information, such as it is, to war conditions.

By Commissioner Ainsworth:

Q. I think that would be idle to do so. A. Absolutely idle, because today you cannot get deliveries even or any stuff at any price, for that matter.

By Chairman Van Benschoten:

Q. If I may ask one question — excuse me — your plan, then, of using the floatbridge, and across the marginal way, would put the subway on either 11th or 10th avenue; it could not be on the marginal way? A. No; it could not be on the marginal way,

but keeping it away from the marginal way you avoid all those questions which might seriously arise there, of a seepage both from the river and from underground sources, and then the location is better in toward the interior of the island; you get clear to the other part of the island, you get to a region where property needs something to put it on its feet, and where the cost of equalization is reasonable.

Q. On both sides? A. And you can develop in four directions, and in addition to that, you can put a location wherever you have a railroad, through a tunnel under the Hudson river, and the exits will be at a point convenient of grade and access to such terminals. Those are the advantages of that.

Now, when you have taken that traffic away from the waterfront, the only real traffic that is left is that between the steamship companies and the railroad companies, through business, in other words, business originating in Liverpool, or any other foreign port, consigned to points beyond the city of New York, where the city of New York is a mere way station, as to business coming in on the New York side consigned to Jersey railroads -- I do not know whether I ought to venture a conclusion as to the best way, or whether the best way is not by carfloat or lighterage; in other words, you can bring a carfloat alongside a vessel that is unloading on a pier, and you can put an awful lot of freight into the cars on a carfloat. The railroad men are the ones to get those facts for you. Now, as between the railroad companies and the New York Central, which is the only line on Manhattan at the present time, I have never been able to see where is any advantage in an elevated railroad along the marginal way. It takes a good deal of business to support an elevated railroad, and an elevated railroad would not be of any use to you whatever, except connecting the railroad and the piers.

Now, since those questions have been discussed, the motor truck was developed to a point almost unthought of, even five years ago. Of course, there will always be a certain number of piers that you can provide rail connections for north of 59th street. Now, an elevated railroad coming down the marginal way would not be of any service to you at all, so far as the traffic on the interior of the island is concerned.

By Commissioner Beard:

Q. That is rather a broad statement.

By Chairman Van Benschoten:

Q. Except on the East Side? A. Unless it went round the island.

Q. When I said East Side, I meant a block on the East Side.

A. That would only benefit the one block adjacent to the marginal way.

Q. Just the one block? A. And your advantages are not nearly so great as the development you can have on both sides of the avenue, by a freight subway, because you can accommodate any number of industrial plants that are located along the avenue on both sides, and can come across town as far as you like, and you must also consider there is a sentimental objection to an elevated railroad along the waterfront, but whether it is valid or not, is another question; but until you try out your traffic to see how much is left, that will have to be accommodated in that way, I should think that the proposition for an elevated railroad might very well lay by.

By Commissioner Ainsworth:

Q. Would you have that extending north from these yards, municipal as well? A. North of 72d street.

Q. North from these various terminal yards? A. I think from 59th street, beyond any question that should be under municipal control, because you must remember this, after all, is the business of the city of New York, to see that its merchants have an opportunity to do their business.

Q. And that would commence at 59th street? A. That is a convenient place, yes.

By Chairman Van Benschoten:

Q. You think that should be a subway and not an elevated?

A. I am very decidedly of that view, yes.

Q. The question of the building or having warehouses along the line there, or business houses with factories along the lines, would compel them to have cellars so constructed that they could connect with the subway? A. There is no engineering objection to that that I have heard of.

Q. I have heard it raised, at least it has been stated before this Commission, that a good deal of this land has been filled-in-ground. A. True enough, but you have a subway in Canal street now, which is below water. You have terminals over here in Church street which are below the water. You have a subway in Williams street that is in quicksand below the water. You have the National City Bank, built in a quicksand pond.

Q. We want your views. A. I think the Commission has now satisfied itself by the direct proof, as to the exclusion of seepage. I think you will find a number of power plants, electric and steam, that have their furnaces and their dynamos and other stuff located below the level of the water. No tracks should be on any part of that.

By Commissioner Stoddard:

Q. Before you adopted this subway idea as the best solution, you must have satisfied yourself that the amount of money necessary to build a subway, could not be so great as to make it an unprofitable investment for the city? A. Well, of course, I would not expect the city to go into a losing venture.

Q. That comes back to my earlier question as to whether you have looked into the cost of building a subway from 59th street down to whatever southern point you would have, and whether that cost would be excessive in view of the probable returns from operations. A. Well, the returns are not fixed, and the economy of handling traffic in that fashion is so great over existing methods that it would require a much more elaborate calculation than I have had any time to make, to arrive at it; but in a general sort of a way, and based upon other experience, I would say there would not be any question but that a traffic line of that kind would be more than self-sustaining.

Q. Mr. Shonts — A. Let me tell you something — how we can handle this.

Q. Let us get to the cost of that. A. I am talking about that.

Q. That is the practical part. A. Your revenues, of course, have got to be enough for your carrying charges and your operations and your interest and amortization.

Q. Yes? A. Now, your terminal rates are practically fixed on that basis, as a matter of experience.

Q. Your present terminal rates? A. No, no, your rates and actual operation. If it now costs three cents a hundred to truck goods back and forth in various parts of Manhattan —

By Commissioner Ainsworth:

Q. The lighterage is about five cents? A. I am talking about trucking now; that is the trucking item alone — if you put against the present cost to the railroads, and the merchants, the cost of handling your freight in a terminal of that kind it will, in my judgment, more than take care of any added carrying charges, by reason of subway costs.

By Commissioner Stoddard:

Q. That is just your own opinion, without investigation into the — A. Well, I know this: We paid the railroads in St. Louis all the time that we could load and unload the stuff, and we were practically limited, as I recollect it, to the cost at the railroad's own terminals, for the corresponding periods, and the money was always — the money computation was always in favor of the Cupples station.

By Commissioner Todd:

Q. How large a unit was the Cupples station? How many cars did they take care of there a day? A. I have been trying to think of it. They come on every railroad entering St. Louis. They use all ways, my recollection is twenty-eight railroads do business in that transfer. It is limited to the wholesale grocery and hardware trade, because this building, each section of this terminal is tenanted by those trades.

By Chairman Van Benschoten:

Q. Now, you have suggested this plan stating that you thought that would solve it? A. The only thing I omitted a while ago was about the truck. Of course, there are a good many kinds of trucks that are in use, and power trucks for loading and unloading I assume you do not require any detailed information, in anything of that kind, but our experience with a truck about may be 40 inches wide by 66 inches in length, or thereabouts, with a roller bearing wheel, and the concrete platform, that you could put on them as big a load as you could get out of a car door or almost,

because you take the truck into the car after you get the first opening, and as big as you can conveniently handle on the elevators, in taking it to the higher level and distributing it to the various buildings, which at the same time do not overburden one man in handling. Now, that is a matter of detail, however. I did want to mention that truck question as we go along. Those same trucks after they take your incoming stuff to the distributing platforms, are available for your outgoing business. It is just a flow back and forth, just like the tide, every day.

Q. Now, Mr. Craig, you said, in starting out with your statement, that below 59th street, that for the present you would leave the New York Central aside. A. Out of the question.

Q. Out of the question? A. Yes.

Q. Now, what is your idea as to what should be done there? Would it be to try and get the New York Central to use this municipally-owned terminal? A. Well, I do not know whether any particular persuasion should be exercised with the railroad or not. I think the New York Central has pressed the city about to a point where if it wants its pound of flesh, it should be allowed to take it. In other words, it has a right for an indefinite period, not a perpetual right, but a right for an indefinite period, to have two tracks on the surface of 11th avenue, part of the way, and 10th avenue part of the way. If the railroad considers that right of so much preciousness as to stand in the way of such a plan as we suggest, I do not know of anything to prevent the six-track subway from going under their line, and I do not know of any way on earth that they can refuse your business at 59th street, and deliver it there.

Q. Mr. Place, I believe, made the statement when he was testifying here, that if there was a terminal railroad there, I think he said municipally owned, that the New York Central would be the best customer. A. Well, I should assume it would.

Q. Assuming that that was so, have you considered what would be done with regard to the 30th Street yard of the New York Central? A. Well, I have considered in a general way, I do not see any reason — that is one reason I do not specifically locate any of these terminals here, because I did not have time to carefully consider it. I do not know whether your Commission is attempting to locate any of these terminals, but you should locate them

with regard to the conditions that now exist in connection with the railroads in the city, not only the New York Central, but the Pennsylvania and the Lehigh Valley, and the B. & O., and all those other roads, that have some kind of an arrangement over here, back from the waterfront, for handling business.

Q. And this municipally-owned terminal would be so arranged — the detail, of course, we cannot discuss now — as to working in harmony with the respective yards which these respective roads have here. A. I imagine those yards, the railroads would be very glad to surrender when you give them an acceptable substitute; in other words, it is to the advantage of the roads, that use car floats across the River Hudson, to get that traffic concentrated or unified in some fashion, so that they are not in each other's way, and you can only do that, it strikes me now, by what you might call a union car float terminal, you might have any number along the North River.

Q. That would apply to those roads; but how about the New York Central, the 30th Street yard, for instance, where there is so much milk and foodstuff that is brought down there; might it not be that they would have to have that yard, and would it interfere with the operation of this plan you have suggested? A. I do not see how it would. I think there are many kinds of traffic, and that is a matter of detail which would have to be worked out. There are many ways of handling milk traffic, that have never been resorted to, without laying additional tracks in New York at all, or by using the existing subway systems for distribution of milk, and there are other kinds of traffic that may be distributed in the same way, but I do not understand that you are going into those details now.

Q. Not at all? A. And I do not expect, as a witness, to furnish you with a set of specifications and plans, telling you how to deal with any particular traffic. I do not see any reasons why the facilities used by the railroads, the Lehigh Valley, and the B. & O., or any other railroads, should not be made available for this operation. I do not see why any railroad should not willingly co-operate in that direction, because a railroad is certainly interested in reducing the terminal cost. The cost of handling at the terminals is the biggest part of the railroad's expense, and you

can make more money on a terminal operation of this kind, in my judgment, than you can by owning a railroad outside the city. In other words, take the railroads on their own statement to-day. I have understood from the newspapers or elsewhere, that it has been testified to here that it costs as much to handle traffic in the City of New York, at the terminal, as it does to haul it 400 miles outside the city.

By Commissioner Ainsworth:

Q. They say from Chicago. A. All right, from Chicago. I would be willing to give the railroads the benefit of the doubt, and that kind of a thing, and take only 40 per cent of the rate, and let them take 60 per cent of the rate, and deliver the traffic to them free of any terminal expense. If they insist that this is an uneven break, there is no reason why the rate of the division should not be equal.

Q. This is very interesting to me, but the question is to bring this about: We are talking about a municipally-owned road, and a number of municipally-owned yards; can you outline to us, in view of the present debt limit of the city, how that can be arranged? A. I think the first impediment, before you get to the debt limit, is the United States Government. I do not believe certainly without the co-operation of the Federal Government, that you can do anything here during the war, and until the control of the railroads is surrendered by the Federal Government, and you know as well as I do, there are those who think that that day will never come when the railroads go back into private operation; whether that is so or not I do not express any opinion.

Q. Apart from the interference of the Federal Government, because if the war should end an entirely different proposition would be presented, but here to-day we have got this situation in the city, which ought to be corrected in some way. Now, can you outline a way that municipal ownership of that could be financed or arranged? A. Without violating or infringing the debt limit?

Q. Yes. A. I just want to enter that very briefly, that I have a plan now under consideration, to which so far I have received only one objection, that will increase the debt margin of the city from \$50,000,000 to \$125,000,000, and will not call for any new legislation, and will not add anything to the city's present debt.

Q. That is, you have back in your head, a scheme? A. Not back in my head. It is under discussion now.

By Commissioner Stoddard:

Q. Would you favor using that increased borrowing capacity for the purpose of building a subway, in view of some other needs that the city might have? A. Well, you are, of course, inquiring now of conditions that might exist after the war.

Q. That do exist now? A. As I say, at the present time with the Federal Government in the possession of the railroads —

By Commissioner Ainsworth:

Q. Eliminate that Mr. Comptroller. A. Yes, Commissioner Stoddard said as they do exist now; he has pinned my answer as to that, as of to-day.

By Commissioner Stoddard:

Q. May happen just at any time in the near future, such needs as we have for school houses, and other things that we may want. A. I think it is imperative that the City of New York provide for the education of its children.

Q. Surely. A. And I think anyone who complains in the way of that might well be classified —

Q. I do not want to tie you down to that. A. As a public enemy, if you want to use a hard expression towards it, but it is rather hypothetical at this time, under war conditions, to say how much we should apportion one year, and if half for four years and half for three years, and a half from now, of the available city credit for improvement of the port or terminal conditions, or for highways, charities or schools or any other question, but I do not believe there is any — my judgment is that that is not a serious impediment, that that would be dealt with as the time goes on. Of course there is another question, that is, of exempting from the debt limit all corporate stock for self-sustaining purposes.

By Commissioner Stoddard:

Q. After it has been justified. A. Now, then, that is the question. You may meet that situation by getting legislation, or judicial action, where you could do it on a prospectus, as the promoters do.

Q. Now, I am not a lawyer, but I understand the courts are not in favor — A. Up to the present time of course that cannot be done, but I do not see why the Appellate Division should not be able to see a return from an enterprise, as well as any bank syndicate down town, when they are approached for the same amount of money.

Q. You will have to recall judicial decisions in the matter.

By Commissioner Ainsworth:

Q. Mr. Comptroller, have you any knowledge as to whether the Jersey roads would use this tunnel, this arrangement?

Chairman Van Benschoten.— This lighterage you speak of? A. I have heard of all kinds of gossip, and I have not attached a great deal of importance to any of that, but I am looking at it from the point of view of the City of New York, and I say that if the City of New York, in the protection of its own merchants, and its own commerce, creates terminals of this kind — they will find a way to make the Jersey roads take this on the waterfront, on a carfloat system if no tunnel comes about.

By Commissioner Beard:

Q. Is it your view that there is anything much more important to our city than carrying out this project? A. The education of the children of the city I regard as of primary importance, and the preservation of the health of the community, and the proper distribution of fuel and food, until abnormal conditions come to an end.

By Chairman Van Benschoten:

Q. Don't you think, Mr. Craig, that it might be very desirable to have connection with these railroads of New Jersey by tunnel, which would take care of just such a situation as we have been through the last few weeks? A. That is desirable if —

Q. Is it not more desirable? A. You have a very narrow strip of land on Manhattan Island, thickly settled, and because it is narrow you are limited to your locations, because it is thickly settled, you meet in some quarters, prohibitive cost. Those are the questions that have got to be determined, when a tunnel is driven.

Q. But if it is within reasonable operation, both as to cost and construction, and the other features which may arise, would it not be almost vital to the city in these progressive days, to have tunnel connection with New Jersey, to avoid just such a condition as we have been through the last few weeks? A. I think the railroad tunnel under the Hudson River is a very desirable thing, as soon as you can get it, where its engineering will be practical, and the expense will not be prohibitive, and unquestionably such a tunnel has many advantages over a carfloat system, for less-than-carload business.

By Commissioner Beard:

Q. You were considering mainly economy. A. I was taking the conditions as they are, because my mind runs on the solution of the conditions as you have got them; picturing what might happen under theoretical conditions, in my experience, never gets us anywhere; but you take a condition that you are confronted with, and you take it step by step and deal with it.

By Commissioner Todd:

Q. How extensive do you plan for this municipal terminal? A. Well, that—you mean how many terminals, and what dimensions?

Q. I do not mean the exact number of feet, no, but between what streets and what yards. A. Well, I have not had an opportunity since I knew I was going to be a witness here, even to go down to that part of the city and look over the different localities, in order to get in my mind the shifts, in the location of industries that are constantly taking place in Manhattan, but I should think the location of those terminals would be the least troublesome question which arises.

By Chairman Van Benschoten:

Q. That would be a matter of detail, after the perfection of the plan. A. You would have one at Canal street on the south.

By Commissioner Todd:

Q. What I am trying to get at and lead up to, Mr. Comptroller, is this question of expense, which, it seems to me, has something to do with the subject, and quite practical, and I want to find out

just how extensive you had in your mind what this underground railroad should be, so as to get at somewhere near the expense, so that we could tell whether or not it should be handled. A. You can handle all the merchandise traffic in Manhattan Island south of 59th street, so when you know how much traffic you have got, you know how many terminals you have, and that is the answer to your question about the expenses, and how big they are.

By Commissioner Beard:

Q. Was it your thought that they should go far down toward the Battery? A. I should say Canal street until you know what the effect of the terminal would be, far enough south, but the great advantage of this principle is the flexibility of the thing. If you find Canal street is not far enough south and you want one in Battery Park, there is nothing but the subways in your way to keep you from going down; and if you go down further, the subways would not be in your way.

By Commissioner Todd:

Q. Do you care to express yourself as to the question of this cost? A. How can anybody in war times express any opinion as to the cost of even material, much less the construction work that is involved with it.

Q. I do not mean the exact amount that it would cost, but whether it is an amount that can be handled by the city in the way that you had — under normal conditions.

By Commissioner Ainsworth:

Q. Under normal conditions? A. I will tell you what I will do with you. I am not prepared to answer that question now, but if you want me to have an estimate prepared for you based upon normal conditions of labor and material, I might do it, although I am worked to death without doing any work of this Commission. But I do not see why it would not be more satisfactory to you to have your own staff do it.

By Commissioner Todd:

Q. Mr. Comptroller, the reason I am asking you this question is because you are the Comptroller of the City of New York. A. Yes; but I am not a contractor or an engineer or estimator.

By Commissioner Ainsworth:

Q. Assume it cost \$50,000,000; is that within the purview of possibility now? A. Of debt limit?

Q. Yes. A. We are right on the verge of the debt limit this minute. I would not be surprised if anybody knew exactly where it is we are in —

Q. If that is so, how could the city undertake to construct a municipal terminal? A. I explained in answer to the Commissioner a while ago, that we have a refunding plan that goes into operation, and will go into operation, and give, say a margin of \$50,000,000 to \$125,000,000, which will be available for any proper and good purpose, and no part of it will be available for any improvident purpose.

By Commissioner Todd:

Q. If that refunding plan does not go through, then the city would not be in a position to finance it? A. It does not follow, because there are other things. There is the question of the constant shift in taxable values; there is the question of the sustaining stuff. We have applications going to the Appellate Division either within a few days, to exempt a lot of stuff, that is not exempted, and it depends upon things of that kind, and the automatic redemption of the city debt during 1918, would bring in over \$50,000,000, according to my recollection of the figures off-hand, and it expands the debt margin to that capacity. Of course, there are other things with reference to a subway.

Q. So, generally speaking, I understand it is your opinion that the city could finance such a proposition as you have described? I think so. Now, let me answer that this way — that the prices of New York City bonds to-day, year for year, for equal maturity, and of equal interest, are ten points below bonds of the same character of the State of New York, and they are selling at that level for no other reason than the general talk about debt limit, and the people who have city bonds do not know when they will have a question raised as to legality, and they do not know how this question which merely talked about, may affect the market, if they want to sell out openly, having no money; so it is the current agitation of our being near the debt limit that makes to-day

the 4½ bonds of the city sell around 95. If the City of New York to-day were to sell corporate stock, they could not sell a dollar less than 5 per cent, and I am doubtful if you can sell any quantity of that. The moment you get rid of that condition you do get rid of it by such a refunding plan as we have under consideration, you not only restore the borrowing capacity of the city, but you restore its credit, and bonds would be worth 100 points, at least dollar for dollar, that is the same maturities and rates of interest they are to-day. There is no reason on earth why there should be any disparity between the bonds of the State of New York and the bonds of the City of New York, except as to the constant references to the debt limit —

By Chairman Van Benschoten:

Q. Mr. Craig, you said a little while ago, if municipally owned, directly or indirectly, is it your opinion that this might be financed along some of the same lines as the subway? A. Yes. I did not have that in mind. That is what I meant —

Q. I meant indirectly. A. That is not what I meant, no. I have in mind a distinct holding, which would be in municipal interest, but the title of which might not be directly in the hands of New York.

Q. So that it would be directly financed by the City of New York? A. I will give you an illustration. There are in the city places what are known as school districts, where all the school property within the city is owned by a distinct entity, called a school district and all improvements for school buildings and other purposes are made upon the credit of that property, owned by the school district, and the obligations issued are not the obligations of the municipality at all, so that among other situations was what I had in mind when I referred to some form of indirect ownership.

By Commissioner Ainsworth:

Q. Western cities like Washington and Seattle — there are others there — A. I only mention that as an illustration. We have a constitutional provision in this case, about what municipalities can do in the way of owning securities of any railroad corporations.

By Commissioner Rounds:

Q. How many of these small — I won't say that — but do I get your idea, that after the subway is located up and down, then the small terminals will be located at strategical points in through the city, not necessarily very near the subway? A. No, I would like them in the first instance right at the subway, and I would only go away from the subway across the zone afterwards, if conditions developed to justify it.

Q. And then when the time did come, it would be a question of going under the streets in some way, with the freight subway? A. Exactly. In other words, just as we began in New York, with the subway under Broadway, the old Contract No. 1, as we call it, and have followed that by the extension under the East River, to Brooklyn, Contract No. 2, and that has been supplemented by the dual subway contract; you meet conditions as they arise, after trying out your initial plan. I do not remember, but you may remember the discussion about the original subway, but many people thought it was impossible operation, and could not be made to pay, and the securities sold at a discount for a long time; you could come down here in the outside market and take them up at any time for less than their par value.

Q. Have you considered whether the development of the city might be based on a preliminary system over there? A. I have considered it, but there are many different questions as to population over there, than you have on the West Side, and nobody can yet quite foresee what the effects of that population is going to be on these new subways into the outlying boroughs. I do not go into that, because I think it is largely speculative as to what the conditions might be there five years from now.

Q. There is another question which occurred to me; you spoke of going across the marginal way, on the surface which might be objectionable, perhaps, from some points of view; would it be practicable to avoid that by having a union carfloat terminal, one or more, to have a sort of wide freight subway going through to the longitudinal subway, thus allowing the marginal way to go right over the top — let the freight cars dip down into this cross subway rather than to come up on the level. A. In that form, of course it would be physically impossible, but you might elevate

the grade of the marginal way so that there would be a slight grade, that you could get to with your carfloats, at low water or high water and get your cars off, and on to a level, which would not make it prohibitive, if you could put a hump in the marginal way, to go over.

By Commissioner Stoddard:

Q. You would put more than a hump there, if you put four cars across every day? A. Yes, we might have to have a viaduct, but you explained, Commissioner Stoddard, that this plan of 1916 provided surface tracks on the marginal way.

Q. But you did not like that plan. A. My criticisms are directed toward features that are fundamental; I consider that mere detail.

Commissioner Stoddard.— I know.

By Commissioner Rounds:

Q. Have you considered how great powers of compulsion the State would have over the New Jersey roads? We have been discussing as to whether they would come in or not. You have said in a general way that the city will see to it that they will come up. A. I do not believe that the city has any such power, over the Jersey roads. I do say that I do not believe the City of New York as a municipality, has any power over the New Jersey roads, but I think so long as there is the Interstate Commerce Commission, and if the roads are in private ownership, and there is traffic in the City of New York which is delivered to them in a practical condition, that they can be made to take it over, and if not, the Dock Department can take it over, and deliver it to them on the other side, and take the carfloats over there, and charge them for the service.

Q. Do you have in mind any precedent for securing such other development along the lines you have suggested? A. Well, I have talked along different lines; there are many city operations that embody some of the elements I have mentioned. They have a municipally-owned railway system in Jacksonville, Florida, for example, that is a waterfront proposition. They have one in New Orleans; this Cupples station at St. Louis, which is not marine at all, which is purely a railroad freight matter, to my mind.

affords a striking analogy to the loading and unloading of terminal conditions here, after you have your tunnel.

By Commissioner Beard:

Q. Practically operating under a franchise, or do they own the property? A. They own their own property.

By Chairman Van Benschoten:

Q. Mr. Craig, you stated a while ago that the New York Central might be left out of this proposition if it did not desire to come in; was it your idea that they might be left out, and it would operate its railroad just as it is now? A. Well, as a practical matter, the railroad would never continue to do it the way it is now; but, unquestionably, the Legislature can require the New York Central to depress its tracks in 10th and 11th avenue, from their present location. To my mind, the New York Central is not in any position to stand in the way, by exaction, of harsh or unreasonable terms, on any of these improvements.

Now, that reminds me of another thing which has been said constantly during public discussion here for years past, that the railroad controlled the local situation, between the railroad company and the City of New York — there is not a particle of foundation for that assumption, because so far as the local situation is concerned, the control is absolutely in the City of New York, through its ownership of its waterfront. The railroad, as I recollect, has only one lease that has not expired, maybe, if you call 59th street separate, it has only two leases. The moment the City of New York refuses to renew a pier lease with the New York Central, that ends the railroad use of that particular bit of waterfront.

Q. Some of these are held under licenses now, are not they? A. They have come under the Federal Government.

Q. Of course, under the Federal control. A. If it comes to a question as to who has got the power of compulsion, and who can exact terms, it is not the railroad company at all, but the City of New York.

Q. It would be your opinion, assuming that the New York Central were ready to come into any general plan here, that their property rights below 30th street or 59th street, wherever it might

be, that that would be a matter of adjustment as to any d
 A. Well, I do not see it will be a wholly voluntary matter.
 not want to put it in that way.

Q. I did not mean that. A. What I mean is that it does
 necessarily involve the consent of the New York Central.

Q. No? A. Because the New York Central can easily
 placed in the position where it would only be too happy to
 in, rather than to take the other alternatives.

By Commissioner Ainsworth:

Q. I understand from the testimony that we have heard
 the New York Central does not object to that at all, Mr. C
 troller, if the city would provide the terminal; that has bee
 burden and trend of all the testimony that they have given
 us. A. I do not know what testimony has been given here
 Commissioner.

Q. That is a correct statement. A. But I am just referring
 the state of mind that the Chairman knows about, that has e
 here in public discussion for years past, where the claim has
 made by responsible public officials that the railroad would
 do a thing, except upon what it considered satisfactory to it.

Q. Why, that is true, but when you come to a solution o
 by treating it as a West Side problem alone, for the Centra
 have taken the position that under existing legislation, it c
 be reasonably done, and rather forcibly they argue it, but
 say, as I understand the situation, that if there is a municip
 owned terminal, here, that they want to use it. A. That m
 it that much easier.

Chairman Van Benschoten.— That much easier?

Q. It does, Mr. Comptroller, if there is any possibility
 municipally-owned railroad in the near future, but if the
 limit — let me state the situation to you in another way.
 has been agitated for twenty years in this city, the old
 Transit Commission had it and they failed, and the
 Service Commission — A. I don't know whether you know
 reasons why they failed, or not.

Q. I do not care what they are; they failed. A. I do not
 that is a fair statement.

Chairman Van Benschoten.— Nothing was accomplished.

The Witness.— Nothing was accomplished.

Q. Then came the Public Service Commission and they did not accomplish anything, and then came the Board of Estimates and Apportionment, and they have not accomplished anything. A. They threw up their hands; they could not be expected to do anything, they could not do anything except what the railroads agreed to.

Q. And then came the proposition of the joint action between the Public Service Commission and the Board of Estimate and Apportionment, and still nothing has been accomplished. A. The joint action was only for a limited period, and that period has expired. That was only a period to afford — to give the railroad if it had this willingness, which some people said it has, to reach a voluntary agreement.

Q. This proposition of a municipally-owned road I do not think has ever been considered before, at least, I have never heard of it, until you revealed it here, and it looks very rosy, but the only question is, is there any prospect of it being done in the near future? A. Maybe this what I will say now, will suggest an answer to you. In the first place, is there now or in prospect, sufficient rail traffic originating or coming to the Borough of Manhattan to require railroad facilities, and to stand the expense that the railroad facilities necessary to handle that traffic require? If so, the next question is — shall the terminal facilities be provided by a franchise granted to a private corporation; I mean private in the sense that it is not a municipal corporation, or shall it be done by a municipal corporation of the City of New York?

Q. Answering that, or your first question I would say under the 1916 agreement there was a very apparent willingness on the part of the railroad to comply with that, you did not like its terms, but that answers the question. A. That does not answer the question at all as to the condition of the traffic on the Island of Manhattan, with respect to other railroads than the New York Central. I think you misapprehended the proposition I stated to you. Let me state it again. Do you consider there is now, or there is any prospect, in years to come, of sufficient rail traffic originating in

the Port of Manhattan, incoming to the Borough of Manhattan, to justify the existence and maintenance of adequate and modern railroad terminals, to handle that traffic, and to stand the expense of it?

Q. My opinion is, yes. A. Then you have answered the whole question of financing, because if there is, it is a revenue-producing proposition, and it is a question of whether the City of New York will consent to have it done by a franchise granted to a private corporation, or under dual profit-sharing arrangement, or whether it can handle its debt margin in such a fashion that it can do it itself, because the moment you assume there is railroad traffic originating in Manhattan, that makes a profitable operation, and you have answered the whole question of the financing, because you have to have proper facilities to do it, and those facilities are improved from year to year.

By Commissioner Beard:

Q. Now, does the City of New York have the necessary power to do that? A. I think it is within the power of the City of New York to do a thing of this kind, so far as it is legal.

Q. You think the city can do it without additional powers granted by the Legislature? A. I do not think at the moment of any additional power legally that is required.

By Chairman Van Benschoten:

Q. You mean as to municipal ownership? A. Yes, of course, it can always have a franchise, unless they might want to ask the Legislature to deal vigorously with the New York Central with reference to surface occupation under its old franchise, but that is a mere angle of it.

By Commissioner Beard:

Q. That is a detail, but with regard to this other matter, we may assume that the city so far as you are concerned, would go forward with great vigor — assuming the return of normal conditions — would look forward with great vigor to the carrying out of some such plan? A. Well, certainly, I am in favor of improving conditions as rapidly as you can.

Q. Here is my point. A. Some unfair and unkind people

said I was obstructing their plans, but nobody has ever charged me with obstructing the public interest in any way.

By Commissioner Ainsworth:

Q. Do I understand you think that under the existing law, the city can do this? A. In answer to Prof. Beard, I would say that is a kind of a question a man ought not to answer offhand. As I said here, no lack of authority occurs to me, so far as the legal authority is concerned. Now, it might be, upon reflection, or a little examination, there would be some aspect.

Q. I notice bills have been introduced in the Legislature this year by a representative of the City Government in New York, for the purpose of conferring the power of doing the same thing, with reference to the other changes. A. Will you tell me who that representative of the City Government is, and what the bill is?

Q. You know what the bill is. A. I know there has been legislation introduced up there. I have not seen the bills yet, and I did not know the City Government had taken any interest in it.

Q. I should hate to accuse Senator Wagner of representing the city as he is friend of mine. A. Nobody would accuse him of misrepresenting it, we are clear on that. The legislation you refer to in regard to municipal conditions generally was that some of the people in the Legislature thought we required more ample authority. Prof. Beard was asking me personally about that.

Q. Now, coming back to a very practical question, we want you to help us. I assume we have got to make some kind of a recommendation. Is it desirable that existing conditions should remain as they are until either the war closes, or this scheme which you have unfolded shall materialize in some way, and become a possibility instead of a dream? A. Well, I do not believe you can do anything in the way of physical construction of any substantial character, until the war is over. I think you can greatly improve conditions. If in any way, by persuasion or compulsion, you can require the New York Central to use the yard space that it does now, your Commission, I assume has been up there, and has seen the great amount of unused land within the limits of the present 60th Street yard, the old Union

Stock yards, the old cattle pens, the old Union Stock Yards Hotel, they are in the heart of the railroad; oh, they have been there for years, and I have not ever seen the slightest effort on the part of the railroad company to use that track space. There are tracks used for bad order cars that ought to be used for livestock, and to that extent the improvement in conditions to be made immediately — not, you cannot lift a finger here, in my judgment, without the co-operation of the Federal Government, and even then, you run into the Federal administration.

Q. Does it need any legislation to negotiate further with the New York Central Railroad Company? A. Have you not to negotiate with the Federal Government? The Federal Government now has practically the whole of the waterfront, for example, from 43d street northward to 59th street, and it is in actual occupation through the railroad company, of the waterfront up there, and of the railroad.

Q. Leaving out the possibility of the Federal Government, because neither you nor we could tell what they would do, leaving that out, does it need any more legislation; as it occurs to your mind, to negotiate with the New York Central railroad, with reference to above 59th street, and below, possibly? A. I do not think so. It seems to me there never was an act of broader scope, than chapter 777 of the Laws of 1911, so far as the negotiations are concerned.

Q. But that has been limited and hedged about, and the power of the officers restricted by chapter 717? A. That merely requires the approval of the Public Service Commission and I have never yet seen them unreasonable on that kind of a proposition, so that there is no real impediment there at all. You see the railroad company — because it assumed that that Commission did not approve perpetual grants, and because it assumed that other things not to its liking might not be permitted, or might be required — has just arbitrarily abandoned the whole situation.

By Chairman Van Benschoten:

Q. Do you think, Mr. Craig, that it is wise in legislation which is of a character of permitting negotiations between official bodies and corporations, as the New York Central, to put limitations or shall that be left to the official bodies in their official capacity, to

determine and recommend? A. I think somebody needs limitations. You could not very well turn anybody loose with unlimited power to deal with municipal waterfront property, for example.

Q. No; but supposing a Commission were to be appointed, pardon me, just as an illustration — were to be appointed with no limitations as to the grants and so forth, that they were to propose a franchise, if there was any additional franchise, would have to be passed by the Board of Estimate, and there is a check right away. If there was any change in the franchise, modification, repeal, or anything of that kind, it would have to go to the Legislature. Now, there are checks everywhere along, and the question is,— it is merely a matter of getting your view, who have considered this question so much, whether it is advisable, as in the act of 1917, to put right in the act certain limitations, or to leave the negotiating bodies — not only the negotiating, but the acting bodies — because it might be acting, or the courts — free-handed. A. I will answer it in this way: Taking the situation as we find it, I prepared the original Ottinger bill, for which the one enacted into law was a substitute. I prepared it in co-operation with other people who are familiar with the subject they were dealing with.

The principal of that bill was the power of the State to regulate the franchise granted to the New York Central, and power to delegate to the Public Service Commission, the State's power — power to the Public Service Commission with respect to requiring additional facilities. Now, those elements,— in effect, are within their ordinary jurisdiction.

The whole thing was a railroad question. It never was a waterfront question. It was never a park question or a street question. The question at the bottom is — what facilities are actually required by the traffic that the New York Central handles, or is in a position to handle, in the City of New York, and I have never thought that any man's word ought to be taken on that, without the best of cross-examination, and that whatever body determines that, ought to do it with the most careful sifting proof presented to it, so that there is no color of collusion or mere opinion unsupported by fact, that becomes the foundation for the action of the Commission.

Now, this being a railroad question, and the Public Service Commission being equipped for the work, and it being a State function, and powers being delegated to the Commission, it has been my view that these functions should be performed by the Public Service Commission, and then whatever additional rights are required, or are found after proper inquiry to be required by the New York Central and the City of New York, must necessarily be obtained with the consent of the local authorities, which happen to be the Board of Estimate and Apportionment for the City of New York; so that, having those things in mind, the principal of the original Ottinger bill — and one more thing: It has been my view that there ought to be one authority to settle these things, subject always, of course, to the constitutional requirements of the consent of the municipal authorities, in municipal matters.

Now, that being the situation, in my view the original Ottinger bill which was introduced on the first day of the 1917 session, submitted the whole thing to the Public Service Commission, with their powers amplified in certain directions, to meet this particular situation, with a mandatory direction to proceed with a requirement upon the railroad to submit plans, and also with the requirement that everybody interested or curious enough to ask, should have a print of those plans when submitted, and should be in a position to understand them, with a provision for public hearings, and with a provision for substitution or amendment, or proposed changes from the shipping interests and the navigation interests of the City of New York, and practically the same rights of public participation, that are granted under the various provisions of the Railroad Law, the Grade Crossing Acts and the additional facilities provision, which lets in all the shippers, and the Grade Crossing Act lets in all property owners, and the City of New York is required, of course, to be a participant, because it affects its own property. That act inquired for a preliminary report and plan, which might remain on view ample time, not a very long time, but ample to promote criticism, and amendment, or proposed amendment by anybody affected by it, shipping interests, property owners, or the City of New York.

By Commissioner Ainsworth:

Q. That act was lost in the shuffle. A. I am answering his question now. I am answering that as to the practical method of ending this condition, but, with the amendment which has come in in that fashion, the Commission shall then conclude the matter. We did all we could within the constitutional limitation, to fix the time limit under which they would have to conclude it. You cannot fix an absolute time limit on a judicial body — when done it should be final; but so far as new facilities are required, the railroad would have to make the application to the City of New York, in the ordinary course, under the charter provisions. Now, it is incredible that the Board of Estimate and Apportionment, with the kind of condition presented to it, would argue about whether these new facilities are required. They are practically concluded by the adjudications of the Commission.

By Commissioner Ainsworth:

Q. That was under the condition in which that bill was left.

Chairman Van Benschoten.— Wait a minute. A. That bill is a good bill yet, if you leave out a few changes, changes in State and municipal bodies.

By Commissioner Stoddard:

Q. Have you a copy of that? Could you let me have a copy?

Commissioner Ainsworth.— I have a copy. A. I have a copy; and when the railroad applied to the City of New York for those additional facilities, it was for the local authorities, the Board of Estimate and Apportionment, to fix the terms and conditions upon which they should be granted. That is a perfectly workable measure, and it is the judgment of the best informed people that I know, as to the way to get an effective result. Well, in the Legislature, there are always conflicting currents, and as a result of the give and take of things, and other matters, two bills went through; one, the bill under which your Commission is operating, which the Governor signed upon my personal recommendation, which went through as a companion bill to the substituted Ottinger bill, which was proposed by the Public Service Commission, and in which I made certain changes myself, before it was introduced; and those

two bills were put through under an understanding that it was an all or none proposition. They were both to go through. That does not change my view — that the best disposition that could be had of it was under the original Ottinger bill, and the one that we allowed to give way to this latter bill, because of the exigencies of legislation.

By Chairman Van Benschoten:

Q. And the original Ottinger bill, as you introduced it, had no provisions as to any specific limitations of power on the part of this Joint Commission or Public Service Commission? A. I do not believe it limited anybody, but I believe a fair answer to your question is this, that the city would be —

By Commissioner Ainsworth:

Q. They had a check upon it. A. That act carried the repeal of chapter 777 of the Laws of 1911, but that act would carry to-day the prohibition against the alienation by the City of New York of its waterfront, which I think is a salutary limitation.

By Chairman Van Benschoten:

Q. Take, for instance, a twenty-five-year lease, the details — A. (Continuing)— there was nothing of that kind in the original Ottinger bill, but on the question of compensation and the period of lease and so forth, I ought to say this: In the first place, I have never regarded this as a real estate proposition alone. The question of exchanging one piece of real estate for another and basing a valuation on one isolated parcel and what might be a unified lot of parcels, has nothing to do with it, so far as the question of operation or compensation is concerned. So far as operation is concerned, a railroad will run just as well upon rails laid under a franchise, as it will upon rails on land owned in fee. So far as the waterfront is concerned, all the facilities the railroad requires can be had under lease for four-year periods from the City of New York, as it can be in the grant of a waterfront.

Now, on the compensation side of it, it seems to me it is a question of revenue-producing business, and the compensation should not be based on the value of the piece of real estate. The theory, for example, of the Public Service Commission in there,— I think

even in the plan they brought in to the Board of Estimate was that these rentals that they designated, should be readjusted after a period of twenty-five years, or whatever it was, based upon the value of the abutting property. Well, that is open to the most serious criticism. In the first place, the operation of an elevated railroad in front of the abutting property, will depreciate it, and the more it is operated, the more valuable the right to operate becomes, and the less valuable becomes the abutting property; so, in my judgment, the only fair way, when it comes to a question of rights based upon compensation, is upon the return and the value of the right depends upon what the traffic produces, and then comes the question on the division of the rates.

Q. Can this Commission understand that it is your view or opinion, from the experience which you have had here, which is very valuable to us, that in any legislation which might be had at Albany, it is better to leave those details as to the terms of lease or compensation, or the details of the franchise and all that, to the bodies who are going immediately to pass upon them, and have charge of this work, rather than perhaps to a certain extent, tie their hands before the real work is reached? A. Well, I think so, and within the limitations I have suggested there. I would not change the fixed policy, the deliberate policy of the City of New York, as fixed in its charter.

Q. Is it not better to leave that open, the City of New York has to pass on it? A. I do not think it should be left open, so far as the alienation of the waterfront is concerned; in other words, that we require a change in the law anyhow.

Q. Then it should not be done? A. It should not be alienated. Your bill would be silent as to that.

Q. That is what I mean; do not change it, but leave it with the Commission, or whoever it may be empowered to take up a certain piece of work, the limitations by law are there. The city will have to pass on certain things; perhaps the State will have to pass on certain things; but the laws are there; and they have got to pass on them as they shall come to them in time, rather than have their hands tied by detailed limitations beforehand. A. That was the principle of the original Ottinger bill, I do not know of any bit of better legislation than that.

By Commissioner Ainsworth:

Q. You treat this entirely, Mr. Comptroller, as a New York City proposition. I would agree with you, perhaps, so far as the occupation of your streets is concerned, and yet, is it not a question in which every shipper in the State has an interest? A. Well, that is a statement often made. Let us see what it is.

Q. Let us have your view on that. A. In the first place, so far as the merchants of New York are concerned, and the congestion of its streets are concerned, and ingress and egress of traffic to Manhattan Island is concerned, it is purely a question for the City of New York.

Q. Granted. A. But so far as the use that shall be made of its waterfront is concerned, it is peculiarly a matter for the City of New York. Now, the question is, of course, in anything the City of New York does, that affects the terminals of the railroads operating beyond its limits, it does incidentally affect shippers. If a man ships forty kegs of olives, from Spain, to a city in New York State, and it comes through the New York City waterfront, you might say that the terminal charge made in New York affects the shipper, and affects everybody who buys olives up there.

Q. Neither you nor I am interested in that proposition, because it is infinitesimal — A. You are mistaken. The amount of traffic that New York City is a mere way station for, is of very great amount. I do not know whether your Commission has taken the trouble to get that.

Q. We have found that, that which comes from Manhattan Island. A. That which comes from Manhattan Island, and originates from the State of New York and goes beyond the seas.

Q. That is infinitesimal, compared with the traffic that comes over this particular road. Now, this particular road, as I said, runs into forty-seven counties of this State. It brings your milk and dairy produce, it puts the farm and the city consumer into direct connection, and it is one in which the up-State has a very vital interest, because if you are seeking to get a revenue out of New York City for its coffers, out of that traffic, you are putting that burden upon the State. A. We are putting it back upon consumers in New York City, because they are the ones that foot the bills.

Q. Never because the price of the farmer is always determined by the traffic charge put upon it. A. And the price the consumer pays is the price that comes from the farmer.

Q. It is always taken into consideration in our farm produce, which reduces our price.

Judge Clark.— Like the Florida fruits. A. My experience of Florida fruit is — it costs as much in Florida as it does in New York, so far as the retailer is concerned, but, further answering that, it is an error to say that the New York Central does bring in any such comprehensive fashion, all the milk and vegetables and other supplies to the City of New York.

Q. Not all. A. Because the figures which I have, may not be as recent as your Commission has, that there are other railroads that do not come into Manhattan Island at all, that contribute a very great proportion of the food supply to the City of New York.

Q. It does? A. The Lackawanna — this road has an enormous milk traffic. The Erie railroad has an enormous California fruit traffic. The Pennsylvania has the traffic coming in from the South, of vegetables of various kinds, so that if you are considering the indirect effect upon a milk shipper, of what a proper terminal charge shall be for the use of adequate terminal facilities, you have to consider all the milk shippers and all the other shippers to whom the City of New York supplies an outlet, by a population of upwards of 5,000,000. If you do not have conditions in the City of New York that are such that will induce people to remain and live in the City of New York and carry on their business here, you destroy a very large outlet for your milk producers up the State.

Q. And I fancy you would destroy it, if you curtailed or seriously restricted the opportunity to get the farm produce here, upon which you must live? A. I do not see the application of that.

Q. I may be obtuse, but I see it clearly. A. I assume what we are all engaged upon is important.

Q. That is what we are after, and that is what I say, that so far as New York State is concerned — A. If I may anticipate you, I do not believe the City of New York should ever directly

or indirectly pay a subsidy to the shippers outside of the City of New York, or outside of the State of New York, for traffic coming into the City of New York, part of which stops here and part of which goes out.

Q. And I entirely agree with you, and go one step further, that New York City ought not to put a farmer in the State of New York, in the position of providing the revenue for the City of New York. A. You want these facilities to be self-supporting, don't you?

Q. Yes; up to the point that they do not seriously affect shipping facilities. I do not think New York City ought to make one penny out of the farmers of this country in getting the food down here, upon which you people live. I think our relations are mutual. A. You think the city ought to break even with the farmers, and make a little profit out of the through business?

Q. I am against the city making any profit out of these transportation facilities, because you have made your profit out of one of the people, the man who purchases, or the other. A. Are you in favor of a private railroad making profit out of the business?

Q. Sure, I am. A. How do you distinguish between a private railroad corporation and a municipal railroad corporation in the City of New York?

Q. I am not arguing upon municipal ownership, but I am arguing upon the proposition that you want to lay on this traffic a rental charge for the purpose of producing a revenue for your city. A. You misunderstand me. I have not said any such thing. I said the proper basis upon which to adjust the value of these rights is the traffic that can be handled over them. You cannot fit it, in my judgment, any other way.

Q. What I mean is this — A. In other words, the right to handle a thousand carloads a day over a given strip of land, is worth ten times as much, to use the same land, which has facilities for 100 cars.

Q. What I mean is this: It is a New York City pre-eminently, and is a city-serving corporation, that is here seeking to get its proper facilities as a terminal in this great city. I think that you and I ought to work in harmony in producing, with as little confusion at New York as possible, as great a convenience to that

corporation as is possible. A. Well, now, wait a minute. The corporation is not exclusively confined to the City or State of New York, and has enormous traffic that comes from beyond the borders, and the moment you have approached that question you are into the atmosphere and the rights of railroads that bring stuff to the City of New York. The Lackawanna is a New York railroad, but it happens to bring stuff from Binghamton and other points here, down the other side of the river, and you are making the strongest argument you can for the Federal control and operation of railroads, because you are saying that there should not be any burden imposed upon shippers, to the benefit of any particular community, and the very handling through the Federal ownership and operation is that the railroad facilities and costs of operation shall be so adjusted that no one locality has any undue advantage over another, nor any one class over another. I think your argument carries you very much further than you anticipate that it does.

By Commissioner Todd:

Mr. Comptroller, you recognize that up the State we are interested in a proper solution of this problem, so that there may be terminal facilities here, efficient enough to take care of what we ship down from up-State don't you? A. Yes; whether you patronize one railroad or the canals. We have the question of Barge canal terminals, and I suppose they want adequate facilities.

Commissioner Ainsworth.—Confine it to the railroads themselves.

Q. Don't you realize that the New York Central is the most important carrier from up-State, New York, to the City of New York? A. I dare say it carries more business than several of the other railroads put together. I do not know how many; I have not checked up the traffic.

Q. And to this extent, up-State New York is very much more interested in the New York Central than any other railroad, so far as terminal facilities are concerned. A. I do not know what the extent of the interest is up the State. I do not know why I should answer that question, to begin with, and if you mean they

are more interested in the way the City of New York has terminals arranged, why, that is another question.

Q. What I am getting at is this, Mr. Comptroller: I happen to be from up-State, and I want to say to you that we are interested up there in seeing this terminal problem here solved, so that we may ship down here our goods, and have them delivered in New York City, with greater facility than they have been in the past, and I understand that is what New York City also desires: am I wrong in my understanding of the situation, as to the attitude of New York City? A. I should say that New York City is concerned, without regard to the identity of the railroad, with the most modern improved terminal conditions that are obtainable, and I should say that the city has considered it from the point of view of all the railroads. As distinguished from any particular railroad, I would like to make a remark here apropos of your question, upon another angle of this thing, if I may interrupt you.

Q. Proceed. A. I have understood it was stated that this bill was passed, and this Commission was created for the relief of shippers up the State, or something of that kind, along the New York Central. I have seen something of that kind.

Chairman Van Benschoten.— I have never heard of it, and I do not think any member of the Commission has ever heard that.

The Witness.— I am familiar with the passage of this bill, and I know how its enactment came about, and if you need any information upon that point, I can give it to you direct.

By Commissioner Ainsworth:

Q. Our opinion is that this bill was drafted entirely for a different purpose.

Chairman Van Benschoten.— We are fairly well informed as to its purpose, and unless you are asked about that, we do not care for the information.

By Commissioner Beard:

Q. I would like to hear Mr. Craig's view, if you do not object.

Chairman Van Benschoten.—No. A. I would ask you to excuse me. I have people waiting for me. I allowed myself five minutes' leeway.

Chairman Van Benschoten.—Are there any further immediate questions? If not, we will adjourn.

The Witness.—Is there any pending request of me to produce anything or do anything? If there is not, I will forget it. If there is, may I rely upon a written communication?

Chairman Van Benschoten.—You can. If there is anything further, Mr. Comptroller, and I want to thank you very much for coming here this afternoon, because you have given this so much study, and we were very desirous of having your views.

(Whereupon, at 5:15 p. m., the further hearing of the above matter was adjourned subject to the call of the Chairman.)

Judge Clark.—I offer in evidence the extract from the minutes of the meeting of the Board of Estimate and Apportionment held on January 15, 1917, appearing at pages 3,541 to 3,552, both inclusive, covering the report of the Committee on Port and Terminal Facilities, and the action taken thereupon.

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ANNUAL REPORT

OF THE

SECRETARY OF STATE

ON

STATISTICS OF CRIME

IN THE

STATE OF NEW YORK

TRANSMITTED TO THE LEGISLATURE JANUARY 9, 1918

ALBANY
J. B. LYON COMPANY, PRINTERS
1918

STATE OF NEW YORK

No. 6

IN ASSEMBLY

ALBANY, *January 9, 1918.*

REPORT OF THE SECRETARY OF STATE

ON

STATISTICS OF CRIME IN THE STATE OF NEW YORK

STATE OF NEW YORK:

OFFICE OF THE SECRETARY OF STATE,

ALBANY, *January 9, 1918.*

To the Honorable Legislature of the State of New York:

I have the honor to transmit herewith a report on statistics of crime in this State, prepared from reports of clerks of courts, as received by me for the year ending October 31, 1917, pursuant to title 10, part 6, of the Code of Criminal Procedure.

Very respectfully yours,

FRANCIS M. HUGO,

Secretary of State.

REPORT

STATE OF NEW YORK:

OFFICE OF THE SECRETARY OF STATE,

ALBANY, November 1, 1917.

To the Legislature:

The Secretary of State, in compliance with title 10, part 6, of the Code of Criminal Procedure, respectfully presents the following report on statistics of crime in the State for the year ending October 31, 1917:

SYNOPSIS

Whole number of convictions reported by county clerks in courts of record.....	7,930
Whole number reported last year.....	7,218
Increase.....	712

The convictions thus reported were as follows:

Offenses against the person.....	1,617
Offenses against the person, last report.....	1,514
Increase.....	103
Offenses against property with violence.....	1,100
Offenses against property with violence, last report.....	1,167
Decrease.....	67

Offenses against property without violence.....	1,554
Offenses against property without violence, last report..	1,553
	<hr/>
Increase.....	1
	<hr/>
Offenses against the currency.....	0
Offense against the currency, last report.....	0
	<hr/>
Decrease	0
	<hr/>
Offenses not included in the foregoing.....	3,659
Offenses not included in the foregoing, last report.....	2,984
	<hr/>
Increase.....	675
	<hr/>
Females convicted in courts of record.....	382
Females convicted in courts of record, last report.....	349
	<hr/>
Increase.....	33
	<hr/>

SPECIAL SESSIONS

Convictions reported by county clerks.....	67,969
Convictions reported by county clerks, last report.....	69,392
	<hr/>
Decrease	1,423
	<hr/>
Males convicted in Courts of Special Sessions, as re- ported by county clerks.....	64,243
Females convicted in Courts of Special Sessions, as re- ported by county clerks.....	3,726
	<hr/>
Total	67,969
	<hr/>

AGGREGATE NUMBER OF CONVICTIONS

Convictions in courts of record, from county clerks' reports	7,930
Convictions in Courts of Special Sessions, from county clerks' reports	67,969
	<hr/>
Total convictions	75,899
	<hr/> <hr/>

The following is a synopsis of the tabular statements annexed to this report:

Table A gives the number of convictions in courts of record during the year ending October 31, 1917, as reported by clerks of counties and of criminal courts.

Table B is an abstract of Table A, giving in condensed form the whole number of convictions in courts of record for each species of crime, specifying the county, and the number of convictions in each county.

Table C exhibits the proportion of males to females convicted in courts of record, with a classification of their offenses.

Table D is a statement of the number of convictions in courts of record from the year 1830 to and including the year ending October 31, 1917.

Table E gives the ages, social relations, nativity, etc., of those convicted in courts of record, as reported by clerks of counties.

Table F is a condensed statement of the details given in Table E.

Table G gives the occupation of those convicted in courts of record.

Table H is an abstract of the returns of clerks of criminal courts, giving the number of indictments tried in each county, at the several terms of criminal courts, the number of convictions, the number convicted on the plea of guilty, the number of suspended sentences and the number pending.

Table I is an abstract of Table H.

Table K is an abstract of the returns by county clerks of certificates of convictions in Courts of Special Sessions, filed in the respective county clerks' offices during the year.

Table L is an abstract of Table K, giving in a condensed form the total number of convictions for the fiscal year by counties.

Table M is an abstract of Table L.

SYNOPSIS OF REPORT ON PARDONS

Schedule A gives the total number of pardons, conditional and unconditional, commutations of sentences and restorations to the rights of citizenship, by Governors of this State, since the year 1846.

Schedule B shows the names of the persons pardoned from November 1, 1916, to October 31, 1917, the counties where convicted, crimes, sentences and dates of pardons.

Schedule C shows the sentences abridged or commuted from November 1, 1916, to October 31, 1917, with the names of the convicts.

Schedule D gives the names of the persons restored to the rights of citizenship from November 1, 1916, to October 31, 1917, the counties where convicted, crimes, sentences and dates of restoration.

Schedule E shows the reprieves of persons sentenced to be executed, granted by the Governor, from November 1, 1916, to October 31, 1917, the name of the convict, crime, date of respite, sentence and limitation of respite.

DOCUMENTS

ACCOMPANYING THE

REPORT OF THE SECRETARY OF STATE

ON

CRIMINAL STATISTICS

TABLE A—COUNTY OF ALBANY—(Continued)

Number of convictions	County	Date of conviction	Before convicted	Never convicted	OFFENSE	SENTENCE
1	County.	Third quarter	1		Abandonment..	
1			.	1		
1			.	1		
1			.	1		
2			.	2	Assault, second degree..	
1			.	1	Rigamy ..	
2			2		Burglary, second degree	
1			1		Burglary, third degree..	
1			.	1	Burglary, third degree..	
1			.	1	Burglary, third degree..	
1			.	1	Larceny, first degree	
1			.	1	Larceny, second degree...	
2			1	2	Larceny, second degree...	
1			1		Larceny, second degree..	
1			.	1		
1			.	1		
1			.	1		
1			.	1		
1			.	1		
1			2		Violation Liquor Tax Law..	Fined \$50
1			1		Violation Liquor Tax Law	Suspended.
2			.	2	Violation Article 86, Section 974	Fined \$50.
Total, 28; women, 3; tried, 0; plead guilty, 28; suspended, 8; probation, 5.						
1	County.	Fourth quarter.	. . . . .	1	Assault, second degree.....	2½ to 4 years Clinton prison.
1			.	1	Assault, second degree	1½ to 2½ years Clinton prison
1			1		Burglary, third degree	prison.
2			1		Burglary, third degree	
1			.	1	Burglary, third degree	
1			.	1	Burglary, third degree..	
1			1		Carrying concealed weapons ;	
1			.	1	Forgery, third degree	
1			1		Larceny, first degree	
1			1		Larceny, first degree	
1			1		Larceny, first degree	
1			.			

1	1	Larceny, second degree	1	1	Larceny, second degree	4 years and 0 months Clinton prison
1	1	Larceny, second degree	1	1	Larceny, second degree	1 to 1½ years Clinton prison.
2	2	Larceny, second degree	2	2	Larceny, second degree	Suspended
6	6	Misdemeanor	6	6	Misdemeanor	
1	1	Misdemeanor	1	1	Misdemeanor	
1	1	Perjury	1	1	Perjury	
1	1	Receiving stolen goods	1	1	Receiving stolen goods	
2	2	Robbery, first degree	2	2	Robbery, first degree	
1	1	Robbery, first degree	1	1	Robbery, first degree	
1	1	Robbery, first degree	1	1	Robbery, first degree	
1	1	Robbery, third degree	1	1	Robbery, third degree	
Total, 32; women, 1; tried, 2; plead guilty, 30; suspended, 0; probation, 3.						

COUNTY OF ALLEGANY

2	County and Supreme	First quarter	Second quarter	No convictions.	
1	1	1	1	Assault, second degree	1 year Auburn prison.
1	1	1	1	Burglary	2 to 4 years Auburn prison.
1	1	1	1	Forgery, second degree	1 year Auburn prison.
1	1	1	1	Larceny, second degree	Suspended.
1	1	1	1	Perjury	2½ to 4 years Auburn prison
1	1	1	1	Violation Liquor Tax Law	1 month penitentiary and \$200.
Total, 7; women, 0; tried, 2; plead guilty, 5; suspended, 1; probation, 0.					
1	County	Third quarter	Fourth quarter	Misdemeanor	170 days jail
Total, 1; women, 0; tried, 0; plead guilty, 1; suspended, 0; probation, 0.					
3	County and Supreme	First quarter	Second quarter	Violation Liquor Tax Law	Fined \$30
1	1	1	1	Violation Liquor Tax Law	Suspended
Total, 4; women, 0; tried, 0; plead guilty, 4; suspended, 1; probation, 0.					

COUNTY OF BRONX

1	County	First quarter	Second quarter	Abandonment	
1	1	1	1	Abandonment	
2	2	2	2	Abandonment	
1	1	1	1	Assault, first degree	
4	4	4	4	Assault, second degree	
1	1	1	1	Assault, second degree	
1	1	1	1	Assault, second degree	
1	1	1	1	Assault, second degree	

TABLE A—COUNTY OF BRONX—(Continued)

Number of convictions	County	Date of conviction	Before convicted	Never convicted	OFFENSE	SENTENCE
1	County...	First quarter	1	..	Assault, second degree..	Penitentiary.
1			1		Burglary, third degree	3 years and 1 month Sing Sing prison.
1			1		Burglary, third degree	16 to 20 months Sing Sing prison.
1			1		Burglary, third degree	13 to 20 months Sing Sing prison.
3			3	2	Burglary, third degree	Penitentiary.
1			1		Burglary, third degree	Elmira reformatory.
1			..	1	Burglary, third degree	Not stated.
1			1		Crime against nature	3 1/2 to 8 1/2 years Sing Sing prison.
1			1		Crime against nature	15 to 56 months Sing Sing prison.
1			1		Crime against nature	Asylum.
1			1	1	Crime against nature	
1			1	1	Forgery, third degree	1 year prison
3			3	3	Forgery, third degree	1 year Sing Sing prison
1			1	..	Larceny, second degree..	1 year prison.
1			1	1	Larceny, second degree	1 year prison.
2			..	2	Larceny, second degree	
5			1	4	Larceny, second degree..	
6			6	2	Misdemeanor	
3			1	2	Misdemeanor	
2			2	..	Misdemeanor	
5			1	4	Misdemeanor	
1			3	11	Misdemeanor	
1			1	1	Misdemeanor	
1			1	1	Perjury	1 year.
1			1	1	Rape, second degree	1 year prison.
1			1	2	Receiving stolen goods...	
3			1	..	Robbery, first degree...	
1			..	1	Robbery, first degree.	
1			..	1	Violation highway law.	
1			..	1	Violation Section 2460 Penal Law	
Total, 82; women, 2; tried, 5; plead guilty, 77; suspended, 31; probation, 27.						
5	County	Second quarter	1	5	Abandonment	Suspended—probation
1			1	1	Abduction	5 to 10 years Sing Sing prison

TABLE A—COUNTY OF BRONX—(Continued)

Number of convictions	County	Date of conviction	Before convicted	Never convicted	OFFENSE	SENTENCE
1	County	Second quarter		1	Perjury; attempted	Suspended—probation.
1				1	Rape, second degree	5 to 9½ years Sing Sing prison.
1			1	1	Rape, second degree	Penitentiary.
2				2	Rape, second degree	Not stated
3				3	Rape, second degree	Suspended—probation
1				1		Elmira reformatory.
1			1	2		Suspended—probation
1				1		Not stated
1				1		30 days jail or \$50.
1			1	1		6 years and 3 months Sing Sing prison
Total, 115; women, 5; tried, 12; plead guilty, 103; suspended, 41; probation, 40.						
1	County and Supreme.	Third quarter		1	Abandonment	Suspended.
1				1	Abduction	Penitentiary
1				1	Assault, second degree	2 to 5 years Sing Sing prison.
1				1	Assault, second degree	2 to 4 1-6 years Sing Sing prison.
1				1	Bigamy	Suspended—probation
1				1	Burglary, second degree	4 years and 11 months Sing Sing prison.
1			1	2	Burglary, third degree	4 years and 10 months Sing Sing prison.
2			1	1	Burglary, third degree	2 years and 6 months Sing Sing prison.
2			1	1	Burglary, third degree	24 to 31 months Sing Sing prison.
1			1	4	Burglary, third degree	18 to 40 months Sing Sing prison.
1				1	Burglary, third degree	Penitentiary
1				1	Crime against nature, attempted	Not stated.
1				1	Crime against nature, attempted	3 to 6 years Sing Sing prison
1				1	Escaping prisoner	Elmira reformatory.
1				1	Forgery, second degree	Penitentiary
1				1	Forgery, second degree	
3			1		Forgery, third degree	
2				1	Incest	
1				1	Kidnapping	4 to 7 years Sing Sing prison
1				1	Larceny, second degree	Suspended
1				1	Larceny, second degree	3 years and 6 months Sing Sing prison
1				1	Larceny, second degree	2 years Sing Sing prison

County.	Fourth quarter	Total, 103; women, 6; tried, 12, plead guilty, 91; suspended, 47; probation, 24	County.	Fourth quarter	Total, 103; women, 6; tried, 12, plead guilty, 91; suspended, 47; probation, 24
1	1	1	1	1	1
2	1	1	2	1	1
3	1	1	1	1	1
4	1	1	1	1	1
5	1	1	1	1	1
6	1	1	1	1	1
7	1	1	1	1	1
8	1	1	1	1	1
9	1	1	1	1	1
10	1	1	1	1	1
11	1	1	1	1	1
12	1	1	1	1	1
13	1	1	1	1	1
14	1	1	1	1	1
15	1	1	1	1	1
16	1	1	1	1	1
17	1	1	1	1	1
18	1	1	1	1	1
19	1	1	1	1	1
20	1	1	1	1	1
21	1	1	1	1	1
22	1	1	1	1	1
23	1	1	1	1	1
24	1	1	1	1	1
25	1	1	1	1	1
26	1	1	1	1	1
27	1	1	1	1	1
28	1	1	1	1	1
29	1	1	1	1	1
30	1	1	1	1	1
31	1	1	1	1	1
32	1	1	1	1	1
33	1	1	1	1	1
34	1	1	1	1	1
35	1	1	1	1	1
36	1	1	1	1	1
37	1	1	1	1	1
38	1	1	1	1	1
39	1	1	1	1	1
40	1	1	1	1	1
41	1	1	1	1	1
42	1	1	1	1	1
43	1	1	1	1	1
44	1	1	1	1	1
45	1	1	1	1	1
46	1	1	1	1	1
47	1	1	1	1	1
48	1	1	1	1	1
49	1	1	1	1	1
50	1	1	1	1	1
51	1	1	1	1	1
52	1	1	1	1	1
53	1	1	1	1	1
54	1	1	1	1	1
55	1	1	1	1	1
56	1	1	1	1	1
57	1	1	1	1	1
58	1	1	1	1	1
59	1	1	1	1	1
60	1	1	1	1	1
61	1	1	1	1	1
62	1	1	1	1	1
63	1	1	1	1	1
64	1	1	1	1	1
65	1	1	1	1	1
66	1	1	1	1	1
67	1	1	1	1	1
68	1	1	1	1	1
69	1	1	1	1	1
70	1	1	1	1	1
71	1	1	1	1	1
72	1	1	1	1	1
73	1	1	1	1	1
74	1	1	1	1	1
75	1	1	1	1	1
76	1	1	1	1	1
77	1	1	1	1	1
78	1	1	1	1	1
79	1	1	1	1	1
80	1	1	1	1	1
81	1	1	1	1	1
82	1	1	1	1	1
83	1	1	1	1	1
84	1	1	1	1	1
85	1	1	1	1	1
86	1	1	1	1	1
87	1	1	1	1	1
88	1	1	1	1	1
89	1	1	1	1	1
90	1	1	1	1	1
91	1	1	1	1	1
92	1	1	1	1	1
93	1	1	1	1	1
94	1	1	1	1	1
95	1	1	1	1	1
96	1	1	1	1	1
97	1	1	1	1	1
98	1	1	1	1	1
99	1	1	1	1	1
100	1	1	1	1	1

1	1	Larceny, second degree	1	0 months penitentiary
1	1	Larceny, second degree	1	Elmira reformatory
3	4	Larceny, second degree	4	Suspended—probation
1	1	Robbery, first degree	1	6 years and 6 months Auburn prison
1	1	Robbery, first degree	1	10 to 20 months Auburn prison
4	3	Robbery, first degree	3	Suspended—probation
1	1	Violation Liquor Tax Law	1	Suspended—probation
Total, 23; women, 1; tried, 0; plead guilty, 23; suspended, 10; probation, 15				
1	1	County and Supreme	1	11 to 34 years Auburn prison
1	1	Second quarter	1	4 years and 6 months Auburn prison
1	1	Assault, first degree	1	Fined \$50.
1	1	Assault, second degree	1	Suspended
1	1	Assault, second degree	1	Elmira reformatory.
3	1	Bigamy	1	Not stated
1	1	Free	1	Probation
1	1	Free	1	Suspended.
4	3	Free	3	Elmira reformatory
2	1	Free	1	50 days jail.
1	1	Free	1	Not stated.
1	1	Free	1	Suspended—probation
4	4	Free	4	Suspended
3	3	Free	3	6 months penitentiary.
3	3	Free	3	Suspended
3	3	Free	3	Suspended—probation.
2	2	Free	2	6 months penitentiary and \$100.
2	2	Free	2	30 days jail and \$100.
1	1	Free	1	Fined \$100.
1	1	Free	1	Not stated.
1	1	Free	1	Suspended.
2	2	Violation Liquor Tax Law	2	Suspended.
1	1	Violation Article 88, Section 970	1	Suspended.
1	1	Violation Section 2460, Penal Law	1	Elmira reformatory
Total, 43; women, 3; tried, 3; plead guilty, 40, suspended, 18; probation, 10.				
1	1	County and Supreme	1	20 days jail and \$50.
1	1	Third quarter	1	prison
1	1	Assault, second degree	1	
1	1	Blackmail	1	
1	1	Forgery, second degree	1	
1	1		1	
1	1		1	
1	1		1	
1	1		1	
1	1		1	
1	1		1	
2	2		2	

TABLE A — COUNTY OF BROOME — (Continued)

Number of convictions	Courts	Date of conviction	Before convicted	Never convicted	OFFENSE	SENTENCE
1	County and Supreme	Third quarter			Violation Health Law	Suspended.
1				1	Violation Liquor Tax Law.	12 months penitentiary.
1				1	Violation Liquor Tax Law	60 days penitentiary or \$100
1			1	1	Violation Liquor Tax Law.	30 days penitentiary and \$50
2				2	Violation Liquor Tax Law..	Suspended
Total, 19; women, 4; tried, 1; plead guilty, 18; suspended, 7; probation, 4.						
1	County and Supreme	Fourth quarter.			Abandonment	
2				2	Assault, first degree.	
2			2		Burglary, third degree	
1				1	Burglary, third degree	
1				1	Burglary, third degree	
1			1		Larceny, first degree	
1				1	Larceny, second degree	
1			1		Larceny, second degree	
1				2	Larceny, second degree	
2			1	1	Larceny, second degree	
1				1	Larceny, second degree	
1				1	Robbery, second degree	
1			1			
Total, 18; women, 0; tried, 0; plead guilty, 18; suspended, 4; probation, 3.						
1	County and Supreme	First quarter			Abandonment	
1				1	Assault, first degree	
1				1	Assault, first degree	
1				1	Assault, second degree	
Bond required \$500. Fined \$200. 6 months penitentiary and \$200. 6 months penitentiary and \$100. Suspended—probation.						

COUNTY OF CATTARAUGUS

1	Burglary, third degree	6 months penitentiary
1	Burglary, third degree	4 months penitentiary
1	Burglary, third degree	3 months penitentiary
1	Burglary, third degree	Suspended—probation.
1	Burglary, third degree	12 to 20 months Auburn prison.
1		3 months penitentiary.
1		Suspended.
1	Misdemeanor	Suspended.
1	Murder, first degree	91 to 141 years Auburn prison.
2	Violation Liquor Tax Law	50 days jail or \$200.

Total, 15; women, 1; tried, 2; plead guilty, 13; suspended, 4; probation, 2.

1	Assault, first degree	11 to 21 years Auburn prison
1	Assault, second degree	250 days jail or \$250.
1	Assault, second degree	100 days jail or \$100.
1	Burglary, third degree	10 months penitentiary.
1	Carrying concealed weapons	6 months penitentiary.
1	Forgery, second degree	10 months penitentiary
1	Forgery, second degree	Not stated.
1	Larceny, first degree	Not stated.
1	Larceny, second degree	30 days jail.
1	Misdemeanor	75 days jail or \$75.
1	Misdemeanor	50 days jail or \$50.
1	Misdemeanor	Not stated
1	Misdemeanor	200 days jail or \$200.
1	Violation Liquor Tax Law	60 days jail.
1	Violation Article 88, Section 970.	

Total, 15; women, 2; tried, 0; plead guilty, 15; suspended, 0; probation, 0.

1	Assault, first degree	21 to 5 years Auburn prison.
1	Assault, second degree	100.
1	Assault, second degree	
1	Assault, second degree	
1	Blackmail	

1	Assault, first degree	
1	Assault, second degree	
1	Assault, second degree	
1	Assault, second degree	
1	Blackmail	
2		
1		

burn prison

Total, 20; women, 0; tried, 3; plead guilty, 17; suspended, 7; probation, 10.

TABLE A — COUNTY OF CATTARAUGUS — (Continued)

Number of convictions	County	Date of conviction	Before convicted	Never convicted	OFFENSE	SENTENCE
1	County and Supreme	Fourth quarter			Abandonment ..	Fined \$260
1				1	Abandonment ..	Bond required not stated
1				1	Assault, first degree	180 days jail.
1				1	Assault, second degree	240 days jail.
1				1	Assault, second degree	180 days jail.
1				1	Assault, second degree	50 days jail or \$250.
1				1	Burglary, third degree	1 to 2 years Auburn prison.
1				1	Burglary, third degree	12 months penitentiary.
1				1	Burglary, third degree	Not stated
3				3	Carrying concealed weapons	
1				1	Carrying concealed weapons	
1				1	Larceny, second degree	
2				2	Misdemeanor ..	
1				1	Misdemeanor ..	30 to 54 months Auburn prison
1				1	Misdemeanor ..	20 to 36 months Auburn prison
1				1	Misdemeanor ..	6 months penitentiary.
1				1	Misdemeanor ..	Fined \$125.
1				1	Misdemeanor ..	Fined \$75
1				1	Misdemeanor ..	Fined \$25.
1				1	Misdemeanor ..	Not stated
1				1	Misdemeanor ..	Suspended
1				1	Robbery, second degree	240 days jail.
2				2	Violation Liquor Tax Law	Fined \$30
1				1	Violation Liquor Tax Law	Suspended.

Total, 26; women, 0; tried, 2; plead guilty, 26; suspended, 8; probation, 4.

COUNTY OF CAYUGA

1	County and Supreme	First quarter			Abandonment ..	Elmira reformatory.
1				1	Abduction ..	Elmira reformatory.
1				1	Assault, first degree	5 years Auburn prison
1				1	Burglary, third degree	Elmira reformatory
1				1	Burglary, third degree	Suspended—probation.

TABLE A — COUNTY OF CHAUTAUKA — (Continued)

Number of convictions	Court	Date of conviction	Before convicted	Never convicted	OFFENSE	SENTENCE
1	County and Supreme	First quarter..		1	Receiving stolen goods.....	Suspended.
1			1		Violation Liquor Tax Law ..	30 days jail and \$250
1				1	Violation Liquor Tax Law...	Suspended.
		Total, 11; women, 1; tried, 1; plead guilty, 10; suspended, 0; probation, 2.				
1	County	Second quarter	1		Assault, second degree.....	Suspended—probation
1				1	Larceny, second degree ..	Elmira reformatory.
1				1	Violation Liquor Tax Law..	Suspended.
		Total, 3; women, 0; tried, 1; plead guilty, 2; suspended, 1; probation, 0.				
2	County and Supreme	Third quarter		2	Abandonment	
1			1		Assault, second degree ..	
1			1		Burglary, third degree ..	
4			4		Burglary, third degree ..	
1				1	Burglary, third degree ..	
1			1		Misdemeanor	Suspended.
1				1	Murder, second degree ..	20 years to life imprisonment.
1				1	Receiving stolen goods	Suspended—probation.
1			1		Robbery, second degree..	3 to 4 years Auburn prison
		Total, 13; women, 1; tried, 0; plead guilty, 13; suspended, 5; probation, 3.				
1	County	Fourth quarter..		1	Assault, second degree	Elmira reformatory
		Total, 1; women, 0; tried, 0; plead guilty, 1; suspended, 0; probation, 0.				
COUNTY OF CHEMUNG						
1	County and Supreme	First quarter..		1	Arson, second degree....	Elmira reformatory
1				1	Assault, second degree ..	Fined \$50
2				2	Assault, second degree ..	Elmira reformatory
1				1	Assault, second degree ..	Suspended.

1	1	Bigamy	15 to 30 months Auburn prison.
2	2	Hurdlary, third degree	Elmira reformatory.
1	1	Hurdlary, third degree	Suspended.
1	1	Forgery, second degree	2 years and 8 months Auburn prison.
1	1	Forgery, second degree	17 to 23 months, Auburn prison.
1	1	Forgery, second degree	4 1/2 to 8 5/8 years Auburn prison.
1	1	Incest	Elmira reformatory
1	1	Larceny, first degree	Suspended.
1	1	Larceny, first degree	Suspended.
2	2	Larceny, second degree	30 days jail.
1	1	Larceny, second degree	Suspended.
1	1	Larceny, second degree	300 days to 18 months Auburn prison.
1	1	Law	Fined \$100.
1	1	Total, 22; women, 2; tried, 1; plead guilty, 21; suspended, 0; probation, 0.	
1	1	County	
1	1	Second quarter	
1	1	Assault, second degree	Fined \$200.
1	1	Assault, second degree	Fined \$50.
2	2	Misdemeanor	Fined \$200.
1	1	Total, 4; women, 0; tried, 0; plead guilty, 4; suspended, 0; probation, 0.	
1	1	County and Supreme	
1	1	Third quarter	
1	1	Abortion	12 months penitentiary; execution stayed.
1	1	Assault, second degree	2 1/2 to 4 years Auburn prison.
2	2	Burglary, third degree	2 years and 8 months Auburn prison.
1	1	Burglary, third degree	2 years and 8 months Auburn prison.
1	1	Burglary, third degree	13 to 27 months Auburn prison.
1	1	Burglary, third degree	Suspended.
1	1	Forgery, second degree	Suspended.
1	1	Larceny, second degree	2 years and 5 months Auburn prison.
1	1	Larceny, second degree	1 year and 1 month Auburn prison.
1	1	Larceny, second degree	Suspended.
1	1	Misdemeanor	Fined \$200.
1	1	Misdemeanor	Suspended.
1	1	Robbery, first degree	2 1/2 to 5 years Auburn prison.
1	1	Violation Liquor Tax Law	Fined \$200.
1	1	Total, 15; women, 1; tried, 1; plead guilty, 14; suspended, 4; probation, 0.	
1	1	County	
1	1	Fourth quarter	
1	1	Larceny, second degree	Suspended.
1	1	Larceny, second degree	2 years and 3 months Auburn prison.
1	1	Larceny, second degree	Suspended.
1	1	Larceny, second degree	3 years and 5 months Auburn prison.
1	1	Larceny, second degree	1 year Auburn prison.

TABLE A — COUNTY OF CHEMUNG — (Continued)

Number of convictions	Courts	Date of conviction	Before convicted		Offense	Sentence
				Never convicted		
1	County	Fourth quarter	1		Misdemeanor	12 months penitentiary and \$100
1					Rape, second degree	Elmira reformatory.
3			3		Violation Liquor Tax Law	Suspended.
Total, 16; women, 1; tried, 0; plead guilty, 10; suspended, 5; probation, 0.						
COUNTY OF CHENANGO						
2	County and Supreme	First quarter	1	2	Assault, second degree.	Fined \$25.
1					Burglary, third degree.	6 years and 5 months Auburn prison and adjudged an habitual criminal.
1			1	1		Elmira reformatory.
1					Larceny, second degree.	Suspended.
1			1	1	Misdemeanor	Suspended.
1			2		Misdemeanor	Fined \$50
1			1		Perjury	Suspended.
1			1		Perjury	Fined \$50.
1					Rape, second degree	Suspended.
1					Rape, second degree	Fined \$50.
1					Receiving stolen goods	Fined \$25.
1					Violation Liquor Tax Law	Fined \$25.
1						Fined \$100.
Total, 15; women, 1; tried, 0; plead guilty, 15; suspended, 5; probation, 0.						
1	County and Supreme	Second quarter	1		Assault, first degree.	Suspended.
1					Forgery, second degree	Suspended.
1			1		Perjury	Suspended.
1					Rape, second degree; attempted.	Elmira reformatory.
Total, 4; women, 1; tried, 0; plead guilty, 4; suspended, 3; probation, 0.						
1	County	Third quarter	1		Burglary, third degree	Fined \$50.
1					Misdemeanor	270 days jail.
1			1		Rape, second degree	5 years and 6 months Auburn prison

1	County and Supreme.	1	1	1	Violation Liquor Tax Law	180 days jail and \$300
1		1	1	1	Violation Liquor Tax Law	Fined \$150
					Total, 5; women, 0; tried, 3; plead guilty, 2; suspended, 0; probation, 0.	
1	County and Supreme.	1	1	1	Burglary, third degree	Elmira reformatory.
1		1	1	1	Burglary, third degree	Suspended—probation.
1		1	1	1	Burglary, third degree	Suspended—probation.
1		1	1	1	Violation Liquor Tax Law	10 days jail or \$10.
					Total, 4; women, 1; tried, 0; plead guilty, 4; suspended, 2; probation, 2.	

COUNTY OF CLINTON

1	County	1	1	1	Assault, second degree	25 to 54 months Clinton prison.
1		1	1	1	Burglary, third degree	Suspended—probation.
1		1	1	1	Escaping prisoner	1 year and 6 months Clinton prison.
1		1	1	1	Escaping prisoner	1 year Clinton prison.
1		1	1	1	Larceny, second degree	24 to 4 years Clinton prison.
1		1	1	1	Larceny, second degree	Asylum
1		1	1	1	Rape, second degree	Suspended—probation.
1		1	1	1	Rape, second degree	4 to 8 years Clinton prison.
					Total, 9; women, 0; tried, 1; plead guilty, 8; suspended, 2; probation, 2.	

1	Supreme	1	1	1	Abandonment	Suspended.
1		1	1	1	Abandonment	4 years Clinton prison.
1		1	1	1	Abandonment	Elmira reformatory.
1		1	1	1	Abandonment	Suspended.
1		1	1	1	Abandonment	180 days jail
1		1	1	1	Abandonment	150 days jail.
1		1	1	1	Abandonment	Asylum.
					Total, 7; women, 1; tried, 0; plead guilty, 7; suspended, 2; probation, 0.	

1	County	1	1	1	Assault, second degree	18 to 36 months Clinton prison.
1		1	1	1	Misdemeanor	120 days jail.
1		1	1	1	Misdemeanor	Fined \$25.
1		1	1	1	Misdemeanor	Asylum.
1		1	1	1	Misdemeanor	Suspended.
1		1	1	1	Misdemeanor	Fined \$25.
1		1	1	1	Misdemeanor	30 days jail and \$300
1		1	1	1	Misdemeanor	Fined \$175.
1		1	1	1	Misdemeanor	Fined \$150.
1		1	1	1	Misdemeanor	Probation.
1		1	1	1	Misdemeanor	Suspended.
					Total, 16; women, 3; tried, 3; plead guilty, 13; suspended, 4; probation, 1.	

Fourth quarter 1 No convictions.

TABLE A — COUNTY OF COLUMBIA

Number of convictions		Courts	Date of conviction	Before convicted	Never convicted	OFFENSE	SENTENCE
1	1	County and Supreme	First quarter....	.....	1	Assault, second degree.....	2 to 3½ years Clinton prison
2	1			1	1	Larceny, second degree.....	Elmira reformatory.
1	1			.....	1	Misdemeanor.....	180 days jail.
				Total, 4; women, 1; tried, 1; plead guilty, 3; suspended, 0; probation, 0.			
2	2	County and Supreme.....	Second quarter..	.....	.....	No convictions.	
1	1		Third quarter...	2	.....	Burglary, third degree.....	Suspended—probation.
1	1			.....	1	Carrying concealed weapons.....	300 days jail or \$300.
1	1			.....	.....	Larceny, second degree.....	2 to 4 years Clinton prison.
1	1			.....	1	Larceny, second degree.....	Probation.
2	1			.....	.....	Larceny, second degree.....	Suspended—penitentiary.
1	1			.....	1	Misdemeanor.....	3 months penitentiary.
				Total, 8; women, 0; tried, 1; plead guilty, 7; suspended, 4; probation, 5.			
			Fourth quarter..	.....	.....	No convictions.	

COUNTY OF CORTLAND

1	1	Supreme.....	First quarter....	.....	1	Abandonment.....	Suspended—probation. Bond required.
1	1			.....	1	Burglary, third degree.....	Fined \$50—suspended—probation.
2	2			.....	2	Burglary, third degree.....	Suspended—probation.
1	1			1	.....	Escaping prisoner.....	1 year Auburn prison.
1	1			1	.....	Larceny, second degree.....	Suspended—probation.
				Total, 6; women, 0; tried, 0; plead guilty, 6; suspended, 5; probation, 5.			
1	1	Supreme.....	Second quarter..	1	.....	Abandonment.....	12 to 26 months Auburn prison.
1	1			.....	1	Burglary, third degree.....	24 to 50 months Auburn prison.
1	1			1	.....	Burglary, third degree.....	16 to 28 months Auburn prison.
1	1			.....	1	Burglary, third degree.....	Elmira reformatory.
1	1			1	.....	Carrying concealed weapons.....	Suspended—probation.
1	1	County.....		.....	1	Misdemeanor.....	Suspended—probation.
				Total, 6; women, 0; tried, 0; plead guilty, 6; suspended, 2; probation, 2.			

1	County	Third quarter	1	Misdemeanor, Violation Highway Law	12 months penitentiary and \$200, 1 to 2 years Auburn prison.
1			1		
		Total, 2; women, 0; tried, 2; plead guilty, 0; suspended, 0; probation, 0.			
1	County and Supreme	Fourth quarter	1	Abandonment	Suspended—probation
1			1	Larceny, second degree	1 year Auburn prison
1			1	Misdemeanor	100 days penitentiary or \$100—probation
1			1	Robbery, third degree	Probation.
		Total, 4; women, 1; tried, 0; plead guilty, 4; suspended, 1; probation, 2.			

COUNTY OF DELAWARE

1	Supreme	First quarter	1	No convictions	Elmira reformatory
		Second quarter	1	Rape, second degree	
		Total, 1; women, 0; tried, 0; plead guilty, 1; suspended, 0; probation, 0.			
1	Supreme	Third quarter	1	No convictions	90 days jail
1		Fourth quarter	1	Misdemeanor	Suspended—probation.
2			1	Rape, first degree	Suspended.
			1	Violation Liquor Tax Law	
		Total, 4; women, 1; tried, 0; plead guilty, 4; suspended, 3; probation, 1.			

COUNTY OF DUTCHESS

1	County and Supreme	First quarter	1	Arson, third degree	prison.
1			1	Assault, second degree	prison.
1			1	Burglary, third degree	
1			1	Burglary, third degree	
1			1	Burglary, third degree	
1			1	Burglary, third degree	
1			1	Misdemeanor	
1			1	Misdemeanor	
2			2	Misdemeanor	
2			2	Misdemeanor	
1			1	Misdemeanor	
1			1	Rape, first degree	Probation
		Total, 16; women, 1; tried, 1; plead guilty, 15; suspended, 2; probation, 4.			4 1/2 to 19 1/2 years Sing Sing prison.

TABLE A—COUNTY OF DUTCHESS—(Continued)

Number of convictions	County	Date of conviction	Before convicted	Never convicted	Offense	Sentence
1	County	Second quarter.	1	1	Carrying concealed weapons	prison.
2			1	1	Forgery, second degree	
1				1	Misdemeanor	
2				2	Misdemeanor	
1				1	Misdemeanor	
1				1	Misdemeanor	
1				1	Misdemeanor	
1				1	Misdemeanor	
2				2	Misdemeanor	
3				3	Misdemeanor	
2				2	Rape, second degree	
Total, 16; women, 5; tried, 0; plead guilty, 16; suspended, 3; probation, 10.						
1	County	Third quarter.	1		Burglary, second degree	son
2			2		Burglary, third degree	
1			1		Burglary, third degree	
2			2		Misdemeanor	
1				1	Misdemeanor	
1					Misdemeanor	
1					Misdemeanor	
3			2		Misdemeanor	
1					Misdemeanor	
3					Misdemeanor	
1				1	Misdemeanor	
3					Misdemeanor	
2					Misdemeanor	
2					Misdemeanor	
1					Misdemeanor	
1					Misdemeanor	
1					Violation Liquor Tax Law	
1					Violation Liquor Tax Law	
Total, 26; women, 0; tried, 1; plead guilty, 25; suspended, 3; probation, 17.						
2	County and Supreme.	Fourth quarter		2	Assault, second degree	Elmira reformatory.
1			1		Carrying concealed weapons	4 years and 6 months Sing Sing prison.
1			1		Carrying concealed weapons	30 days jail—probation.

1	1	Forgery, second degree	1	150 days jail.
1	1	Larceny, first degree	1	5 to 10 years Sing Sing prison.
3	2	Larceny, second degree	1	
1	1	Misdemeanor	1	
1	1	Misdemeanor	1	
2	2	Misdemeanor	2	
1	1	Misdemeanor	1	
1	1	Misdemeanor	1	
1	1	Misdemeanor	1	
1	1	Misdemeanor	1	
1	1	Misdemeanor	1	
2	2	Misdemeanor	2	
2	2	Misdemeanor	2	

Total, 21; women, 1; tried, 3; plead guilty, 18; suspended, 2; probation, 8.

COUNTY OF ERIE

County and Supreme.	First quarter			
1	1	Abandonment	1	12 to 41 months Auburn prison
6	4	Abandonment	4	
1	1	Arson, third degree	1	
1	1	Arson, third degree	1	
1	1	Assault, second degree	1	
1	1	Assault, second degree	1	
1	1	Assault, second degree	1	
1	1	Assault, second degree	1	
1	1	Assault, second degree	1	
1	1	Assault, second degree	1	
1	1	Assault, second degree	1	
2	2	Assault, second degree	2	
2	2	Assault, second degree	2	
1	1	Assault, second degree	1	
1	1	Assault, second degree	1	
1	1	Assault, second degree	1	
4	4	Assault, second degree	4	
1	1	Assault, second degree	1	
1	1	Bigamy	1	
1	1	Bigamy	1	
2	2	Bigamy	2	
2	2	Burglary, third degree	2	
1	1	Burglary, third degree	1	
3	3	Burglary, third degree	3	
1	1	Burglary, third degree	1	
1	1	Burglary, third degree	1	
1	1	Burglary, third degree	1	
1	1	Burglary, third degree	1	

5 prison on. on. on.

prison.

prison.

Supreme	Second quarter				12 to 27 months Clinton prison 4 months penitentiary.
1	1	1	1	Assault, first degree	
1	1	1	1	Assault, second degree	
3	2	2	1	Burglary, third degree	
3	3	3	1	Burglary, third degree	
2	1	1	2	Burglary, third degree	
1	1	1	1	Forgery, second degree	prison.
1	1	1	1	Misdemeanor	
1	1	1	1	Misdemeanor	
2	1	1	1	Misdemeanor	
1	1	1	1	Rape, second degree	
1	1	1	1	Robbery, first degree	prison.
1	1	1	1	Robbery, first degree	
1	1	1	1	Violation Liquor Tax Law	
2	2	2	2	Violation Liquor Tax Law	

Total, 20; women, 3; tried, 0; plead guilty, 20; suspended, 7; probation, 4.

Supreme	Third quarter				
1	1	1	1	Forgery, second degree	
1	1	1	1	Larceny, second degree	
3	3	3	1	Violation Highway Law	
1	1	1	1	Violation Highway Law	
1	1	1	1	Violation Highway Law	Fixed.
1	1	1	1	Violation Highway Law	Suspended—probation
1	1	1	1	Violation Highway Law	

Total, 10; women, 1; tried, 0; plead guilty, 10; suspended, 8; probation, 4.

Fourth quarter					
1	1	1	1	Assault, second degree	
1	1	1	1	Assault, second degree	
1	1	1	1	Larceny, first degree	
1	1	1	1	Misdemeanor	
1	1	1	1	Violation Liquor Tax Law	
1	1	1	1	Violation Liquor Tax Law	
1	1	1	1	Violation Liquor Tax Law	

Total, 7; women, 2; tried, 2; plead guilty, 5; suspended, 3; probation, 2.

COUNTY OF FULTON

County and Supreme	First quarter				
1	1	1	1	Burglary, third degree	3 years and 3 months Clinton prison.
1	1	1	1	Burglary, third degree	150 days jail.
1	1	1	1	Crime against nature	4 years and 11 months Clinton prison
1	1	1	1	Larceny, first degree	Suspended
1	1	1	1	Larceny, second degree	6 months penitentiary.
4	4	4	4	Misdemeanor	Suspended

Total, 9; women, 0; tried, 1; plead guilty, 8; suspended, 5; probation, 0.

1 | County.....	Third quarter...	1 | .....	Burglary, third degree.....	Elmira reformatory.
1 |			1 | Misdemeanor.....	Suspended.
	Total, 2; women, 0; tried, 0; plead guilty, 2; suspended, 1; probation, 0.			
1 | Supreme.....	Fourth quarter..	1 | Larceny, second degree.....		Suspended.
	Total, 1; women, 0; tried, 0; plead guilty, 1; suspended, 1; probation, 0.			
COUNTY OF GREENE				
1 | County.....	First quarter....	1 | Misdemeanor.....		200 days jail or \$200.
1 |		1 | Violation Liquor Tax Law.....		150 days jail or \$150.
	Total, 2; women, 0; tried, 1; plead guilty, 1; suspended, 0; probation, 0.			
1 | Supreme.....	Second quarter..	1 | Assault, second degree.....		1 to 5 years Clinton prison.
1 |		1 | Burglary, third degree.....		2 to 5 years Clinton prison
1 |		1 | Burglary, third degree.....		Elmira reformatory.
1 |		1 | Burglary, third degree.....		Suspended.
1 |		1 | Larceny, second degree.....		Suspended.
	Total, 5; women, 0; tried, 0; plead guilty, 5; suspended, 2; probation, 0.			
1 | County.....	Third quarter...	1 | Misdemeanor.....		200 days jail or \$200.
	Total, 1; women, 0; tried, 0; plead guilty, 1; suspended, 0; probation, 0.			
	Fourth quarter..		No convictions.	

COUNTY OF HAMILTON				
1 | County.....	First quarter....		No convictions.	
	Second quarter..		No convictions.	
1 |	Third quarter...	1 | Assault, second degree.....		200 days jail or \$200.
	Total, 1; women, 0; tried, 1; plead guilty, 0; suspended, 0; probation, 0.			
	Fourth quarter..		No convictions.	

[illegible]

TABLE A — COUNTY OF KINGS — (Continued)

Number of convictions	County	Date of conviction	Before convicted	Never convicted	OFFENSE	SENTENCE
2	County	Second quarter	1	2	Rape, second degree	Penitentiary.
1				1	Rape, second degree	
1				1	Receiving stolen goods	
1				1	Receiving stolen goods	
1				1	Receiving stolen goods	
1				1	Robbery, first degree	
1				1	Robbery, first degree	
1				1	Robbery, first degree	
1				1	Robbery, first degree	
1				1	Robbery, first degree	
1				1	Robbery, first degree	
1				1	Robbery, second degree	
1				1	Seduction	
1				1	Violation Highway Law	
1				1	Violation Highway Law	
Total. 320; women, 8; tried, 41; plead guilty, 279; suspended, 98; probation, 0.						
1	Supreme	Second quarter	1	1		2½ to 4½ years Sing Sing prison
1				1		270 days jail.
1				1		Suspended.
1				1		2 to 4 years Sing Sing prison.
1				1		2 years and 6 months Sing Sing prison.
1				1		2½ to 3½ years Sing Sing prison.
1				1		2½ to 5½ years Sing Sing prison.
1				1		Penitentiary.
1				2		Death penalty
1				1		20 years to life imprisonment.
1				1		Suspended.
1				1		Suspended.
1				1		1 to 4 years Sing Sing prison.
Violation Article 174, Section 1934						
Total. 14; women, 0; tried, 9; plead guilty, 5; suspended, 3; probation, 0.						
2	County	Third quarter		2	Abandonment.	Suspended.
1				1	Abduction	1 year and 10 months Sing Sing prison.
1				1	Abortion, attempted	30 days jail

TABLE A—COUNTY OF KINGS—(Continued)

Number of convictions	County	Date of conviction	Before convicted	Never convicted	Offenses	Sentence
1	County	Third quarter.	..	1	Extortion	1 to 5 years Sing Sing prison.
1			..	1	Extortion	Penitentiary.
1			..	1	Extortion	Suspended
1			1	..	Forgery, second degree.	3 years Sing Sing prison.
1			1	..	Forgery, second degree.	Suspended
1			..	1	Forgery, third degree	4 years and 6 months Sing Sing prison.
1			..	1	Forgery, third degree	90 days jail
1			1	..	Forgery, third degree	30 days jail
1			..	1	Forgery, third degree	3 to 6 years Sing Sing prison.
1			..	1	Larceny, first degree	3 to 5 years Sing Sing prison.
1			1	..	Larceny, first degree	1 to 5 years Sing Sing prison.
2			2	..	Larceny, second degree	2 years and 6 months Sing Sing prison.
1			1	..	Larceny, second degree	2 years and 6 months Sing Sing prison.
1			2	..	Larceny, second degree	2 years Sing Sing prison.
1			..	1	Larceny, second degree	for women
1			..	1	Larceny, second degree	n.
1			..	1	Larceny, second degree	n.
1			..	1	Larceny, second degree	n.
2			6	..	Larceny, second degree	
2			..	2	Larceny, second degree	
3			3	..	Larceny, second degree	
1			..	1	Larceny, second degree	
5			3	..	Larceny, second degree	
9			..	9	Larceny, second degree	
..			1	..	Larceny, petit.	
..			2	..	Larceny, petit.	
1			1	..	Maiming	prison.
..			..	..	Maiming	prison.
1			..	1	Maiming	son.
1			..	1	Manslaughter, first degree	
12			12	13	Misdemeanor	Penitentiary.
..			..	1	Misdemeanor	180 days jail
1			..	2	Misdemeanor	90 days jail.
1			..	4	Misdemeanor	60 days jail.
..			..	1	Misdemeanor	30 days jail and \$200.
2			..	9	Misdemeanor	30 days jail.
..			..	3	Misdemeanor	25 days jail or \$25.

TABLE A — COUNTY OF KINGS — (Continued)

Number of convictions	County	Date of conviction	Before convicted	Never convicted	Offense	Sentence
2	County	Fourth quarter	2	6	Assault, second degree	1 to 2 years Sing Sing prison.
7			1	1	Assault, second degree	Penitentiary.
1				1	Assault, second degree	
1				1	Assault, second degree	
1				1	Assault, second degree	
1				1	Assault, second degree	
6			1	6	Assault, second degree	
1				1	Assault, second degree	
1				1	Bigamy	
1				1		
1						Sing prison.
1						son.
1						Sing prison.
5						
5						
2						3 years Sing Sing prison.
1						2 years Sing Sing prison.
1						1 year and 10 months Sing Sing prison
1						2 1/2 to 4 years Sing Sing prison.
1						1 to 2 1/2 years Sing Sing prison.
1						Penitentiary.
2				1		90 days jail.
1				1		60 days jail.
1						30 days jail.
1						Elmira reformatory.
1						Suspended.
1				3		30 days jail.
1				1		5 to 10 years Sing Sing prison.
1						Penitentiary.
1						90 days jail.
1						60 days jail.
1						30 days jail.
1						Elmira reformatory.
1						Penitentiary.
1						30 days jail.
1						Extortion.

TABLE A—COUNTY OF KINGS—(Continued)

Number of convictions	County	Date of conviction	Before convicted	Never convicted	Offense	Sentence
1	County	Fourth quarter.		1	Violation Article 220, Section 2460.	4 to 20 years Sing Sing prison.
2				2	Violation Article 220, Section 2460.	Penitentiary.
		Total, 349; women, 22; tried, 36; plead guilty, 813; suspended, 165; probation, 0.				
1	Supreme	Fourth quarter		1	Assault, second degree	prison.
1				1	Assault, second degree	prison.
1			1		Assault, second degree	
1				1	Larceny, first degree	
1				1	Manslaughter, first degree	prison
2			2			
1				1		
1				1		
1				1	Rape, second degree.	
		Total, 10; women, 0; tried, 0; plead guilty, 1; suspended, 1; probation, 0.				
COUNTY OF LEWIS						
1	County	First quarter	1		Burglary, third degree	Elmira reformatory.
1				1	Larceny, second degree	Elmira reformatory.
1				1	Larceny, second degree	Suspended—probation.
1			1		Misdemeanor	Asylum.
		Total, 4; women, 2; tried, 0; plead guilty, 4; suspended, 1; probation, 1.				
3	County	Second quarter		3	Misdemeanor	4 months penitentiary
		Total, 3; women, 1; tried, 0; plead guilty, 3; suspended, 0; probation, 0.				
1	County	Third quarter	1		Larceny, second degree	3 months penitentiary.
		Total, 1; women, 1; tried, 0; plead guilty, 1; suspended, 0; probation, 0.				
1	County	Fourth quarter		1	Abandonment	Probation
2				2	Burglary, third degree	Probation
1			1		Burglary, third degree.	Suspended

TABLE A — COUNTY OF MADISON — (Continued)

Number of convictions	Courts	Date of conviction	Before convicted	Never convicted	Offense	Sentence
1	County and Supreme..	Second quarter	..	1	..	4 to 6 1-12 years Auburn prison.
1	1	..	1	..	..	2 years and 6 months Auburn prison.
1	1	..	1	..	..	8 years Auburn prison.
1	1	..	..	1	Violation Liquor Tax Law.....	300 days jail or \$300
Total, 4; women, 0; tried, 1; plead guilty, 3; suspended, 0; probation, 0.						
1	County	Third quarter...	..	1	Assault, second degree.....	Not stated.
1	1	..	..	1	Rape, first degree.....	8 to 16 years Auburn prison.
2	2	..	..	2	Violation Liquor Tax Law.....	50 days jail or \$50
1	1	..	..	1	Violation Liquor Tax Law.....	Not stated.
Total, 5; women, 0; tried, 0; plead guilty, 5; suspended, 0; probation, 0.						

COUNTY OF MONROE

County	First quarter...	Before convicted	Never convicted	Offense	Sentence
1	1	Assault, second degree...	prison.
1	1	Assault, second degree...	prison.
1	Burglary, third degree...	..
1	Burglary, third degree...	..
1	Burglary, third degree...	..
1	Burglary, third degree...	..
1	Carrying concealed weapons...	..
1	Carrying concealed weapons...	..
1	Larceny, first degree...	n.
1	Larceny, first degree...	n.
1	Larceny, first degree...	..
1	Larceny, first degree...	..
1	Larceny, second degree...	..
1	Larceny, second degree...	..
1	Misdemeanor...	..
1	Misdemeanor...	..

1				1	Larceny, first degree	6 months penitentiary.
3				2	Larceny, second degree	Elmira reformatory.
3				2	Larceny, second degree	Suspended—probation.
1					Misdemeanor	11 months penitentiary.
2					Misdemeanor	Suspended—probation.
2				1	Robbery, first degree	Elmira reformatory.
1				1	Reduction	Elmira reformatory.

Total, 25; women, 1; tried, 1; plead guilty, 24; suspended, 8; probation, 8.

COUNTY OF MONTGOMERY

County and Supreme.	First quarter.	Second quarter.	No convictions.		
1			1	Abandonment.	Fined \$200.
1			1	Abandonment.	Suspended.
1			1	Assault, first degree.	34 to 10 years Clinton prison.
1			1	Assault, first degree.	27 to 61 months Clinton prison.
1			1	Assault, second degree.	40 days jail or \$200.
2			1	Assault, second degree.	Suspended.
1			1	Bigamy	14 to 24 years Clinton prison.
1			1	Forgery, second degree.	Suspended.
1			1	Larceny, second degree.	60 days jail
1			1	Larceny, second degree.	Elmira reformatory.

Total, 11; women, 1; tried, 1; plead guilty, 10; suspended, 4; probation, 0.

County and Supreme	Third quarter.			
1				Abandonment.....
1			1	Assault, second degree.....
2			1	Assault, second degree.....
2		1	1	Burglary, third degree.....
2		1	1	Burglary, third degree.....
2		1	2	Rape, second degree.....
1				Rape, second degree.....

Total, 9; women, 0; tried, 0; plead guilty, 9; suspended, 2; probation, 0.

County and Supreme	Fourth quarter.		Assault, second degree . . .	27 to 48 months Clinton prison.
1		1		Suspended.
3		2		Suspended.
1		1		50 days jail or \$50.
1		1		30 days jail and \$200.
1		1		150 days jail or \$150.
1		1	1970	50 days jail or \$50
1		1	1970	Suspended.

Total, 10; women, 0; tried, 0; plead guilty, 10; suspended, 5; probation, 0.

1	County . .	Third quarter.	1	Assault, second degree; attempted	1 year and 3 months Sing Sing prison.
1			1	Assault, second degree.	10 days jail and \$50 .
2			2	Assault, second degree	
1			1	Bigamy	
1			1	Larceny, first degree	ing prison.
1			1	Larceny, second degree	
2			2	Larceny, second degree	
1			1	Larceny, second degree	
1			1	Misdemeanor	
2			2	Misdemeanor	
2			2	Misdemeanor	
1			1	Misdemeanor	
1			1	Misdemeanor	
1			1	Misdemeanor	
12			12	Misdemeanor	
1			1		Suspended.
1			1		4 to 9 years Sing Sing prison.
1			1		Suspended—probation.
1			1		Fined \$75.
1			1		Fined \$50.
2			2		Fined \$25
2			2		8 months penitentiary and \$250.
2			2	Violation Article 88, Section 973.	

Total, 47; women, 5; tried, 13; plead guilty, 34; suspended, 22; probation, 0.

1	County	Fourth quarter.	1	Abandonment.	Suspended.
1			1	Burglary, third degree.	
1			1		
1			1		
1			1		
3			3		
1			1		
1			1	Misdemeanor	Suspended.
1			1	Rape, first degree	12 years and 8 months Sing Sing prison.
1			1	Violation Liquor Tax Law.	Fined \$50
2			2		

Total, 13; women, 0; tried, 0; plead guilty, 13; suspended, 8; probation, 2.

COUNTY OF NEW YORK

4	General Sessions	First quarter .	4	Abandonment.	Suspended—probation.
1			1	Abandonment.	Suspended.
1			1	Abduction	2 years and 6 months Sing Sing prison.
1			1	Abduction	Penitentiary.
1			1	Abduction	Suspended.
1			1	Abortion	1 to 3½ years Sing Sing prison.
1			1	Abortion; attempted	Suspended—probation.

TABLE A — COUNTY OF NEW YORK — (Continued)

Number of convictions	Courts	Date of conviction	Before convicted	Never convicted	OFFENSE	SENTENCE
1	General Sessions	First quarter	1	1	Arson, first degree; attempted.....	Penitentiary.
1			1	1	Assault, second degree	5 years Sing Sing prison
1			1	1	Assault, second degree	2 years and 6 months Sing Sing prison.
1			1	1	Assault, second degree	2 years Sing Sing prison.
1			1	1	Assault, second degree	1 year and 6 months Sing Sing prison.
1			1	1	Assault, second degree	1 year and 6 months Sing Sing prison.
1			1	1	Assault, second degree	30 to 54 months Sing Sing prison.
5			1	4	Assault, second degree	30 to 42 months Sing Sing prison.
4			2	2	Assault, second degree	24 to 54 months Sing Sing prison.
1			1	1	Assault, second degree	24 to 42 months Sing Sing prison.
1			1	1	Assault, second degree	24 to 30 months Sing Sing prison.
1			1	1	Assault, second degree	20 to 42 months Sing Sing prison.
1			1	1	Assault, second degree	18 to 42 months Sing Sing prison.
1			1	1	Assault, second degree	18 to 30 months Sing Sing prison.
1			1	1	Assault, second degree	17 to 24 months Sing Sing prison.
2			1	1	Assault, second degree	12 to 54 months Sing Sing prison.
1			1	1	Assault, second degree	12 to 18 months Sing Sing prison.
19			5	14	Assault, second degree	Penitentiary
7			2	5	Assault, second degree	
12			3	9	Assault, second degree	
4			1	3	Assault, second degree	
1			1	1	Bigamy	Sing Sing prison.
1			1	1	Bigamy	Sing Sing prison.
1			1	1	Bigamy	18 to 54 months Sing Sing prison.
1			1	1	Bigamy	18 to 42 months Sing Sing prison.
1			1	1	Bigamy	12 to 54 months Sing Sing prison.
1			1	1	Bigamy	Sing Sing prison.
1			1	1	Bribery	
1			1	1	Bribery	
1			1	1	Burglary, first degree	Sing Sing prison.
1			1	1	Burglary, second degree	
1			1	1	Burglary, second degree	
1			1	1	Burglary, third degree	Penitentiary.
8			3	5	Burglary, third degree	5 years Sing Sing prison.
1			1	1	Burglary, third degree	4 years and 11 months Sing Sing prison.

TABLE A — COUNTY OF NEW YORK — (Continued)

Number of convictions	Courts	Date of conviction	Before convicted	Never convicted	OFFENSE	SENTENCE
13	General Sessions	First quarter.	3	10	Larceny, first degree	Suspended—probation.
3			3		Larceny, first degree	
1			1		Larceny, second degree	
1			1		Larceny, second degree	
4			4		Larceny, second degree	
1			1		Larceny, second degree	
1			1		Larceny, second degree	
1			1		Larceny, second degree	
3			1	2	Larceny, second degree	
3			1	2	Larceny, second degree	
1			1	1	Larceny, second degree	
1			1	1	Larceny, second degree	
1			1	1	Larceny, second degree	
1			1	1	Larceny, second degree	
1			1	1	Larceny, second degree	
1			1	1	Larceny, second degree	
2			1	1	Larceny, second degree	
1			1	1	Larceny, second degree	
1			1	1	Larceny, second degree	
1			1	1	Larceny, second degree	
1			1	1	Larceny, second degree	
1			1	1	Larceny, second degree	
20	Supreme		12	1	Larceny, second degree	10 to 15 years Sing Sing prison.
1	General Sessions		1	17	Larceny, second degree	10 to 15 years Sing Sing prison.
1			1	1	Larceny, second degree	10 to 15 years Sing Sing prison.
20			1	1	Larceny, second degree	10 to 15 years Sing Sing prison.
6			8	12	Larceny, second degree	10 to 15 years Sing Sing prison.
28			2	4	Larceny, second degree	10 to 15 years Sing Sing prison.
13			5	23	Larceny, second degree	10 to 15 years Sing Sing prison.
1			4	9	Larceny, second degree	10 to 15 years Sing Sing prison.
1			1		Larceny, second degree	10 to 15 years Sing Sing prison.
1			1		Manlaughter, first degree	10 to 15 years Sing Sing prison.
1			1		Manlaughter, first degree	10 to 15 years Sing Sing prison.
1			1		Manlaughter, first degree	10 to 15 years Sing Sing prison.
1			1		Manlaughter, first degree	10 to 15 years Sing Sing prison.
1			1		Manlaughter, first degree	10 to 15 years Sing Sing prison.
1			1		Manlaughter, first degree	10 to 15 years Sing Sing prison.
1			1		Manlaughter, first degree	10 to 15 years Sing Sing prison.
1			1		Manlaughter, first degree	10 to 15 years Sing Sing prison.
2			1	1	Manlaughter, second degree	10 to 15 years Sing Sing prison.

TABLE A — COUNTY OF NEW YORK — (Continued)

Number of convictions	Courts	Date of conviction	Before convicted	Never convicted	OFFENSE	SENTENCE
1	General Sessions	Second quarter.			Robbery, second degree	
2			1	1	Robbery, third degree	
1			1		Robbery, third degree	
1				1	Robbery, third degree	
1			1		Robbery, third degree	
2			1	2	Robbery, third degree	
2			1	2	Robbery, third degree	
1				1	Robbery, third degree	
1				1	Seduction	
1			1		Violation Highway Law	
1				1	Violation Highway Law	
1			1		Violation Section 408, Penal Law	
1			2		Violation Section 408, Penal Law	
1			1		Violation Section 408, Penal Law	
2			1		Violation Article 86, Section 934	
1			1		Violation Article 88, Section 974	
1			1		Violation Article 88, Section 974	
1			1		Violation Article 88, Section 974	
1				1	Violation Article 88, Section 974	
1			1		Violation Article 88, Section 974	
1				1	Violation Article 112, Section 1202	
1				1	Violation Article 112, Section 1202	
1			1	1	Violation Article 112, Section 1202	
1				1	Violation Article 112, Section 1202	
1				2	Violation Article 112, Section 1202	
1				1	Violation Article 112, Section 1202	
1			1		Violation Article 172, Section 1895	
1				1	Violation Article 172, Section 1895	
1			1		Violation Section 1934, Penal Law	
1				1	Violation Section 2450, Penal Law	
Total, 754; women, 35; tried, 80; plead guilty, 673; suspended, 271; probation, 219.						
1	General Sessions	Third quarter	1		Abandonment	Suspended.
1				1	Abandonment	1 to 3 years Sing Sing prison and \$500.
1				1	Abandonment	Suspended.
1				1	Abandonment	2 years Sing Sing prison and \$300
1				1	Abandonment	1 to 2 years Sing Sing prison.
1				1	Abandonment	Suspended—probation
1				1	Abandonment	Suspended

TABLE A—COUNTY OF NEW YORK—(Continued)

Number of convictions	Court	Date of conviction	Before conviction	Never convicted	OFFENSE	SENTENCE
1	General Sessions	Fourth quarter	1		Manlaughter, second degree	
1				1	Manlaughter, second degree	10 years prison
166			77	89	Misdemeanor	10 years prison
1			1	2	Misdemeanor	
2			2	3	Misdemeanor	
5			3	2	Misdemeanor	
2			3	4	Misdemeanor	
7			3	2	Misdemeanor	
2				4	Misdemeanor	
4			3	1	Misdemeanor	
4			1	1	Misdemeanor	
2			1	1	Misdemeanor	
1			4	8	Misdemeanor	
12			2	4	Misdemeanor	
6			13	52	Misdemeanor	
64			13	66	Misdemeanor	
79			1	2	Murder, second degree	
3			1		Perjury	
1				1	Perjury	
1				1	Perjury	
1			1	1	Rape, second degree	
1				1	Rape, second degree	
1			1	1	Rape, second degree	
1			1	1	Rape, second degree	
1			3	1	Rape, second degree	
1				1	Rape, second degree	
1			1	1	Receiving stolen goods	
1			1	2	Receiving stolen goods	
1			1	1	Receiving stolen goods	
1			1	1	Receiving stolen goods	
1				1	Receiving stolen goods	
1			1	1	Robbery, first degree	
1			1	1	Robbery, first degree	
1			1	1	Robbery, first degree	
1				2	Robbery, first degree	

TABLE A — COUNTY OF NIAGARA — (Continued)

Number of convictions	County	Date of conviction	Before convicted	Never convicted	OFFENSE	SENTENCE
1	County.....	First quarter....	1	.....	Misdemeanor.....	and \$50.
2			.....	2	Misdemeanor.....	
1			.....	1	Misdemeanor.....	
1			.....	1	Misdemeanor.....	
2			1	1	Misdemeanor.....	2 years.
1			.....	1	Misdemeanor.....	year.
1			.....	2	Misdemeanor.....	1 1/2 years.
2			.....	3	Misdemeanor.....	Auburn prison
3			.....	1		
1			.....	6	Robbery, third degree.....	
6			.....	.....
1			1	.....	
Total, 47; women, 3; tried, 1; plead guilty, 46; suspended, 15; probation, 28.						
1	County	Second quarter.	.....	1	Abduction.....	prison.
1			.....	1	Assault, second degree.....	
1			.....	1	Burglary, second degree.....	
1			.....	1	Burglary, third degree.....	
1			1	.....	Burglary, third degree.....	
1			.....	1	Misdemeanor.....	
1			.....	1	Misdemeanor.....	
1			.....	1	Misdemeanor.....	
3			2	.....	Misdemeanor.....	
1			1	.....	Robbery, second degree.....	prison.
1			1	.....	Robbery.....	
1			1	.....	Violation.....	9 years Auburn prison.
5			1	.....	Violation.....	1 year and 8 months Auburn prison.
1			.....	5	Violation Section 408, Penal Law.....	Suspended
1			.....	1	Violation Section 408, Penal Law.....	Asylum
Total, 20; women, 0; tried, 1; plead guilty, 19; suspended, 9; probation, 4.						
3	County and Supreme	Third quarter..	.....	3	Abandonment.....	Probation.
1			.....	1	Assault, first degree.....	Suspended.
1			.....	1	Burglary, third degree.....	Fined \$500.
2			1	1	Burglary, third degree.....	Fined \$250—probation

County	Second quarter	Total, 90; women, 3; tried, 6; plead guilty, 84; suspended, 2; probation, 15.	prison	8 months penitentiary. Probation. Fined \$500.	prison.	prison.
1	1	1	1	1	1	1
2	2	2	2	2	2	2
3	3	3	3	3	3	3
4	4	4	4	4	4	4
5	5	5	5	5	5	5
6	6	6	6	6	6	6
7	7	7	7	7	7	7
8	8	8	8	8	8	8
9	9	9	9	9	9	9
10	10	10	10	10	10	10
11	11	11	11	11	11	11
12	12	12	12	12	12	12
13	13	13	13	13	13	13
14	14	14	14	14	14	14
15	15	15	15	15	15	15
16	16	16	16	16	16	16
17	17	17	17	17	17	17
18	18	18	18	18	18	18
19	19	19	19	19	19	19
20	20	20	20	20	20	20
21	21	21	21	21	21	21
22	22	22	22	22	22	22
23	23	23	23	23	23	23
24	24	24	24	24	24	24
25	25	25	25	25	25	25
26	26	26	26	26	26	26
27	27	27	27	27	27	27
28	28	28	28	28	28	28
29	29	29	29	29	29	29
30	30	30	30	30	30	30
31	31	31	31	31	31	31
32	32	32	32	32	32	32
33	33	33	33	33	33	33
34	34	34	34	34	34	34
35	35	35	35	35	35	35
36	36	36	36	36	36	36
37	37	37	37	37	37	37
38	38	38	38	38	38	38
39	39	39	39	39	39	39
40	40	40	40	40	40	40
41	41	41	41	41	41	41
42	42	42	42	42	42	42
43	43	43	43	43	43	43
44	44	44	44	44	44	44
45	45	45	45	45	45	45
46	46	46	46	46	46	46
47	47	47	47	47	47	47
48	48	48	48	48	48	48
49	49	49	49	49	49	49
50	50	50	50	50	50	50
51	51	51	51	51	51	51
52	52	52	52	52	52	52
53	53	53	53	53	53	53
54	54	54	54	54	54	54
55	55	55	55	55	55	55
56	56	56	56	56	56	56
57	57	57	57	57	57	57
58	58	58	58	58	58	58
59	59	59	59	59	59	59
60	60	60	60	60	60	60
61	61	61	61	61	61	61
62	62	62	62	62	62	62
63	63	63	63	63	63	63
64	64	64	64	64	64	64
65	65	65	65	65	65	65
66	66	66	66	66	66	66
67	67	67	67	67	67	67
68	68	68	68	68	68	68
69	69	69	69	69	69	69
70	70	70	70	70	70	70
71	71	71	71	71	71	71
72	72	72	72	72	72	72
73	73	73	73	73	73	73
74	74	74	74	74	74	74
75	75	75	75	75	75	75
76	76	76	76	76	76	76
77	77	77	77	77	77	77
78	78	78	78	78	78	78
79	79	79	79	79	79	79
80	80	80	80	80	80	80
81	81	81	81	81	81	81
82	82	82	82	82	82	82
83	83	83	83	83	83	83
84	84	84	84	84	84	84
85	85	85	85	85	85	85
86	86	86	86	86	86	86
87	87	87	87	87	87	87
88	88	88	88	88	88	88
89	89	89	89	89	89	89
90	90	90	90	90	90	90
91	91	91	91	91	91	91
92	92	92	92	92	92	92
93	93	93	93	93	93	93
94	94	94	94	94	94	94
95	95	95	95	95	95	95
96	96	96	96	96	96	96
97	97	97	97	97	97	97
98	98	98	98	98	98	98
99	99	99	99	99	99	99
100	100	100	100	100	100	100

1	Supreme . . .	Second quarter..	1	Crime against nature..	5 to 9½ years Auburn prison
1				Larceny, second degree, ..	Elmira reformatory.
				Total, 2; women, 0; tried, 0; plead guilty, 2; suspended, 0; probation, 0.	
		Third quarter..		No convictions.	
1	Supreme.	Fourth quarter..	1	Burglary, second degree	5 years and 1 month Auburn prison.
1			1	Burglary, third degree	8 months penitentiary.
2			1	Burglary, third degree.	Elmira reformatory.
1			1	Forgery, second degree	Suspended
				Total, 5; women, 0; tried, 0; plead guilty, 5; suspended, 1; probation, 0.	

COUNTY OF OSWEGO

1	County . . .	First quarter..	1	Abandonment..	12 months penitentiary
2			1	Abandonment..	Suspended—probation
1			1	Assault, first degree	3½ to 5½ years Auburn prison.
1			1	Assault, first degree	2 to 3½ years Auburn prison.
1			1	Assault, first degree...	
1			1		
1			1		
1			1		
1			1		
1			1		
1			1	Misdemeanor	Auburn prison
1			1		
				Total, 13; women, 0; tried, 1; plead guilty, 12; suspended, 5; probation, 3.	

2	County....	Second quarter.	1	Abandonment	
2			1	Assault, second degree.	
1			1	Assault, second degree.	
1			1	Bigamy and perjury.	
1			1		
1			1		
1			1		
4			3		
1			1		
2			1	Receiving stolen goods	
1			1	Receiving stolen goods	
1			1	Receiving stolen goods	
1			1	Robbery, second degree..	
1			1		

1	County and Supreme	Second quarter	1	Burglary, third degree	12 to 16 months Auburn prison.
1				Forgery, second degree.	Suspended
1			1	Larceny, second degree.	12 to 26 months Auburn prison.
1			1	Larceny, second degree.	Elmira reformatory
1			1	Robbery, first degree....	Suspended
1			1	Violation Highway Law	Fined \$50
Total, 0; women, 0; tried, 0; plead guilty, 6; suspended, 2; probation, 0.					
1	Supreme	Third quarter	1	Burglary, second degree	Suspended.
Total, 1; women, 0; tried, 0; plead guilty, 1; suspended, 1; probation, 0.					
1	County and Supreme	Fourth quarter	1	Assault, second degree	200 days jail or \$200.
1			1	Larceny, second degree.	1 to 1½ years Auburn prison
1			1	Larceny, second degree	1 year Auburn prison.
1			1	Misdemeanor.	Suspended.
Total, 4; women, 0; tried, 0; plead guilty, 4; suspended, 1; probation, 0.					

COUNTY OF PUTNAM

1	County	First quarter	1	Burglary, third degree	28 to 36 months Sing Sing prison.
1			1	Burglary, third degree	180 days probation
1			1	Burglary, third degree	Suspended.
3			3	Misdemeanor	Fined \$350.
1			1	Misdemeanor	180 days probation.
Total, 7; women, 2; tried, 1; plead guilty, 6; suspended, 1; probation, 2					
1	County	Second quarter	1	Violation Liquor Tax Law	120 days jail.
1		Third quarter	1		150 days jail.
1			1		Fined \$200--probation.
Total, 3; women, 0; tried, 0; plead guilty, 3; suspended, 0; probation, 1.					
1	Supreme	Fourth quarter	1	Burglary, third degree	20 months Elmira reformatory.
1			1	Burglary, third degree	19 months Elmira reformatory.
Total, 2; women, 0; tried, 0; plead guilty, 2; suspended, 0; probation, 0.					

TABLE A — COUNTY OF QUEENS

Number of convictions	County	Date of conviction	Before convicted	Never convicted	OFFENSE	SENTENCE
1	County...	First quarter	1		Assault, second degree	24 to 4½ years Sing Sing prison.
1			1		Assault, second degree	Suspended.
1				1	Burglary, third degree	Suspended.
1				1	Misdemeanor.	New York City reformatory
4				4	Misdemeanor	Suspended
1			1		Rape, second degree	Elmira reformatory.
1			1		Receiving stolen goods	Penitentiary.
1				1	Violation Highway Law	Suspended
Total, 11; women, 1; tried, 2; plead guilty, 9; suspended, 7; probation, 0.						
1	County.	Second quarter.		1	Abandonment.	New York penitentiary.
1				1	Abandonment	Suspended.
2				2	Assault, second degree	mon. son.
1				1	Assault, second degree	
1			1	1	Assault, second degree	
1				1	Assault, second degree	
1				1	Blackmail, attempted.	
1			1	1	Burglary, second degree	at Sing prison
1				1	Burglary, third degree	prison
1				1	Burglary.	prison.
1				1	Burglary.	on
1				1	Burglary.	
2			6	2	Burglary.	
6			1		Burglary.	
1			1		Carrying	
1			1		Forgery.	
1			1	1	Larceny.	
1			1		Larceny.	
1			1		Larceny, second degree.	90 days jail.
3			3	3	Larceny, second degree.	Suspended
4				4	Misdemeanor	60 days jail.
1				1	Misdemeanor	Elmira reformatory.
1			1		Misdemeanor	Suspended.
1				1	Misdemeanor	New York penitentiary
1				1	Misdemeanor	30 days jail
1				1	Misdemeanor	25 days jail or \$25
1				1	Misdemeanor	Asylum

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County and Supreme.....	Third quarter...				
1	Assault, first degree.....	4 years Clinton prison.
1	1	.....	Burglary, third degree.....	2 years and 6 months Clinton prison.
1	1	.....	Burglary, third degree.....	15 to 27 months Clinton prison.
6	6	.....	Burglary, third degree.....	Suspended—probation.
1	1	.....	Burglary, third degree.....	Suspended.
1	Larceny, first degree.....	4 years and 7 months Clinton prison.
1	1	.....	Larceny, second degree.....	12 to 16 months Clinton prison.
1	1	.....	Misdemeanor.....	365 days jail and \$500.
18	7	.....	Misdemeanor.....	Fined \$250.
1	1	.....	Violation Election Law.....	26 to 38 months Clinton prison.
Total, 22; women, 8; tried, 1; plead guilty, 21; suspended, 7; probation, 6.					
Fourth quarter..... No convictions.					

COUNTY OF RICHMOND

County and Supreme.....	First quarter....				
1	1	.....	Bigamy.....	18 to 30 months Auburn prison.
1	1	.....	Bigamy.....	18 to 30 months Sing Sing prison.
1	Burglary, third degree.....	Penitentiary.
1	1	.....	Forgery, third degree.....	Probation.
1	Larceny, second degree.....	Suspended.
3	3	.....	Misdemeanor.....	Penitentiary.
1	1	.....	Misdemeanor.....	180 days jail.
1	1	.....	Misdemeanor.....	1 day jail.
7	2	.....	Misdemeanor.....	Suspended.
1	1	.....	Receiving stolen goods.....	2½ to 4½ years Sing Sing prison.
Total, 18; women, 3; tried, 1; plead guilty, 17; suspended, 2; probation, 1.					

County and Supreme.....	Second quarter..				
1	1	.....	Abandonment.....	Probation—pay \$4 a week.
1	1	.....	Abandonment.....	Probation.
1	1	.....	Assault, second degree.....	Penitentiary.
1	1	.....	Burglary, third degree.....	Penitentiary.
1	Burglary, third degree.....	Not stated.
1	1	.....	Burglary, third degree.....	Not stated—probation.
1	1	.....	Carrying concealed weapons.....	10 days jail or \$25.
1	1	.....	Crime against nature.....	9½ to 18½ years Sing Sing prison.
1	1	.....	Misdemeanor.....	Penitentiary.
1	1	.....	Misdemeanor.....	180 days jail.
1	1	.....	Misdemeanor.....	90 days jail.
1	1	.....	Misdemeanor.....	30 days jail or \$250.
6	6	.....	Misdemeanor.....	Probation.
1	1	.....	Misdemeanor.....	Suspended.
1	1	.....	Violation Highway Law.....	10 days jail or \$25.
1	1	.....	Violation Highway Law.....	Probation.
Total, 21; women, 0; tried, 6; plead guilty, 15; suspended, 1; probation, 9.					

1	Supreme	Second quarter..	1	Crime against nature	5 to 9 years Auburn prison.
1			1	Larceny, second degree.....	Elmira reformatory.
Total, 2; women, 0; tried, 0; plead guilty, 2; suspended, 0; probation, 0.					
1	Supreme.....	Third quarter.		No convictions.	5 years and 1 month Auburn prison.
1		Fourth quarter..	1	Burglary, second degree	8 months penitentiary.
2			1	Burglary, third degree	Elmira reformatory.
1			1	Burglary, third degree	Elmira reformatory.
			1	Forgery, second degree.....	Suspended.
Total, 5; women, 0; tried, 0; plead guilty, 5; suspended, 1; probation, 0.					

COUNTY OF OSWEGO

1	County....	First quarter.	1		prison.
2			1		prison.
1			1		
1			1		
1			1		
1			1		
1			1		
1			1		
1			1		
1			1		
Total, 13; women, 0; tried, 1; plead guilty, 12; suspended, 5; probation, 3.					
2	County ...	Second quarter	1	Abandonment	Suspended—probation
2			1	Assault, second degree.	Suspended—probation
1			1	Assault, second degree.....	Suspended.
1			1	Bigamy and perjury.	
1			1	Bigamy.	
1			1	Burglary, third degree	
1			1	Burglary, third degree	
4			3	Burglary, third degree.....	
1			1	Burglary, third degree	
2			1	Larceny, first degree	
1			1	Larceny, second degree	
1			1	Misdemeanor	
1			1	Misdemeanor	
1			1	Receiving stolen goods	
3			3	Receiving stolen goods	
1			1	Receiving stolen goods	
1			1	Receiving stolen goods	
1			1	Robbery, second degree	Auburn prison.

TABLE A — COUNTY OF OSWEGO — (Continued)

Number of convictions	County	Date of conviction	Before convicted	Never convicted	OFFENSE	SENTENCE
1	County	Second quarter.		1	Violation Liquor Tax Law.	250 days jail or \$250.
3			1	2	Violation Liquor Tax Law.	Fined \$200.
2				2	Violation Liquor Tax Law.	Fined \$200—probation.
1				1	Violation Article 88, Section 982	40 days jail or \$40.
1			1		Violation Article 88, Section 982	Fined \$50
2				2	Violation Article 172, Section 1899	Fined \$125
1				1	Violation Article 178, Section 1921	Suspended—probation.
Total, 36; women, 2; tried, 0; plead guilty, 36; suspended, 10; probation, 14.						
1	County	Third quarter.		1		Probation
1				1		
1				1		
1				1		
1			1			
1			1			
1			1			
2				1	empted	
1				1		
1				1		
4				4	aw.	
2				2	aw.	
1				1	ction 970.	
2				2	ction 982	
Total, 19; women, 2; tried, 1; plead guilty, 18; suspended, 4; probation, 5.						
1		Fourth quarter..				
Total, 19; women, 2; tried, 0; plead guilty, 18; suspended, 4; probation, 5.						
Fourth quarter..					No convictions.	
COUNTY OF OTSEGO						
1	County	First quarter		1	Misdemeanor	365 days jail.
1					Violation Liquor Tax Law	30 days jail and \$200
Total, 2; women, 2; tried, 0; plead guilty, 2; suspended, 0; probation, 0						

1	County and Supreme.	Second quarter.	1	Burglary, third degree Forgery, second degree Larceny, second degree Larceny, second degree Robbery, first degree Violation Highway Law	12 to 16 months Auburn prison. Suspended. 12 to 28 months Auburn prison Elmira reformatory. Suspended Fined \$50
1	Supreme	Third quarter	1	Burglary, second degree	Suspended.
1	County and Supreme.	Fourth quarter	1	Assault, second degree Larceny, second degree Larceny, second degree Misdemeanor	200 days jail or \$200. 1 to 1½ years Auburn prison. 1 year Auburn prison. Suspended.
1	Supreme	Total, 6; women, 0; tried, 0; plead guilty, 6; suspended, 2; probation, 0.			
1	Supreme	Third quarter	1	Burglary, second degree	Suspended.
1	County and Supreme.	Fourth quarter	1	Assault, second degree Larceny, second degree Larceny, second degree Misdemeanor	200 days jail or \$200. 1 to 1½ years Auburn prison. 1 year Auburn prison. Suspended.
1	Supreme	Total, 1; women, 0; tried, 0; plead guilty, 1; suspended, 1; probation, 0.			
1	County and Supreme.	Fourth quarter	1	Assault, second degree Larceny, second degree Larceny, second degree Misdemeanor	200 days jail or \$200. 1 to 1½ years Auburn prison. 1 year Auburn prison. Suspended.
1	Supreme	Total, 4; women, 0; tried, 0; plead guilty, 4; suspended, 1; probation, 0.			

COUNTY OF PUTNAM

1	County	First quarter.	1	Burglary, third degree Burglary, third degree Burglary, third degree Misdemeanor Misdemeanor	28 to 56 months Sing Sing prison. 180 days probation. Suspended Fined \$250. 180 days probation.
1	County	Second quarter	1	Burglary, third degree	120 days jail.
1	County	Third quarter	1	Burglary, third degree	150 days jail.
1	County	Fourth quarter	1	Burglary, third degree	Fined \$200—probation.
1	County	Total, 3; women, 0; tried, 0; plead guilty, 3; suspended, 0; probation, 1.			
1	County	Second quarter	1	Burglary, third degree	20 months Elmira reformatory.
1	County	Third quarter	1	Burglary, third degree	19 months Elmira reformatory.
1	County	Fourth quarter	1	Burglary, third degree	19 months Elmira reformatory.
1	County	Total, 2; women, 0; tried, 0; plead guilty, 2; suspended, 0; probation, 0.			

TABLE A — COUNTY OF QUEENS

Number of convictions	County	Date of conviction	Before convicted	Never convicted	Offense	Sentence
1	County	First quarter..	1	..	Assault, second degree..	2 1/2 to 4 years Sing Sing prison.
1			1	..	Assault, second degree..	Suspended.
1			..	1	Burglary, third degree	Suspended.
1			..	1	Misdemeanor	New York City reformatory.
4			..	4	Misdemeanor	Suspended
1			1	..	Rape, second degree	Elmira reformatory
1			1	..	Receiving stolen goods..	Penitentiary.
1			..	1	Violation Highway Law	Suspended.
1			..	1		
Total, 11; women, 1; tried, 2; plead guilty, 9; suspended, 7; probation, 0.						
1	County.	Second quarter..	..	1	Assault, second degree..	New York penitentiary.
1			..	1	Assault, second degree	Suspended.
2			..	2	Assault, second degree	son.
1			..	1	Assault, second degree	son.
1			1	1	Assault, second degree	
1			..	1	Blackmail, attempted	
1			..	1	Burglary, second degree	2 Sing prison.
1			1	1	Burglary, third degree	prison
1			1	1	Burglary, third degree	prison
1			..	1	Burglary, third degree	
2			..	2	Burglary, third degree	
6			6	..	Burglary, third degree	
1			1	..	Burglary,	
1			1	..	Burglary,	
1			1	..	Carrying	
1			1	..	Carrying	
1			..	1	Forgery,	
1			..	1	Larceny,	
1			1	..	Larceny, second degree...	
1			1	..	Larceny, second degree...	
3			3	..	Misdemeanor	2 to 4 years Sing Sing prison
1			1	..	Misdemeanor	90 days jail
1			..	1	Misdemeanor	Suspended
1			..	1	Misdemeanor	60 days jail.
1			..	1	Misdemeanor	Elmira reformatory
3			3	..	Misdemeanor	Suspended
1			1	..	Misdemeanor	New York penitentiary.
1			..	1	Misdemeanor	30 days jail
1			..	1	Misdemeanor	25 days jail or \$25.
1			..	1	Misdemeanor	Asylum

County and Supreme.....	Third quarter ..	Assault, first degree ..	prison.
1	1	Burglary, third degree.....	a.
1	1	Burglary, third degree.....	
1	1	Burglary, third degree.....	
6	6	Burglary, third degree.....	
1	1	Burglary, third degree.....	
1	1	Larceny, first degree.....	prison.
1	1	Larceny, second degree.....	a.
1	1	Misdemeanor.....	
1	1	Misdemeanor.....	
8	7	Violation Election Law.....	
1	1		
		Total, 22; women, 8; tried, 1; plead guilty, 21; suspended, 7; probation, 6.	
1	Fourth quarter.....	No convictions.	

COUNTY OF RICHMOND

County and Supreme.....	First quarter.....	Bigamy.....	18 to 30 months Auburn prison.
1	1	Bigamy.....	18 to 30 months Sing Sing prison.
1	1	Burglary, third degree.....	Penitentiary.
1	1	Burglary, third degree.....	Probation.
1	1	Forgery, third degree.....	Suspended.
1	1	Larceny, second degree.....	Penitentiary.
3	3	Misdemeanor.....	180 days jail.
1	1	Misdemeanor.....	1 day jail
1	1	Misdemeanor.....	Suspended.
7	2	Misdemeanor.....	2½ to 4 years Sing Sing prison.
1	1	Receiving stolen goods.....	
		Total, 18; women, 3; tried, 1; plead guilty, 17; suspended, 2; probation, 1.	
County and Supreme.....	Second quarter.....	Probation—pay \$4 a week.	
1	1	Probation.....	Probation.
1	1	Penitentiary.....	Penitentiary.
1	1	Penitentiary.....	Penitentiary.
1	1	Not stated.....	Not stated.
1	1	Not stated.....	Not stated—probation.
1	1	10 days jail or \$25.	10 days jail or \$25.
1	1	9½ to 18½ years Sing Sing prison.	9½ to 18½ years Sing Sing prison.
1	1	Penitentiary.....	Penitentiary.
1	1	180 days jail.	180 days jail.
1	1	90 days jail.	90 days jail.
1	1	30 days jail or \$250.	30 days jail or \$250.
1	1	Probation.....	Probation.
6	6	Suspended.....	Suspended.
1	1	10 days jail or \$25.	10 days jail or \$25.
1	1	Probation.....	Probation.
		Total, 21; women, 0; tried, 6; plead guilty, 15; suspended, 1; probation, 9.	

TABLE A — COUNTY OF ST. LAWRENCE — (Continued)

Number of convictions	County	Date of conviction	Before convicted	Never convicted	Offenses	Sentences
1	County..	Second quarter..	1	1	Asylum.	Asylum.
1				1	Probation.	Probation.
3			2	1	Suspended.	Suspended.
1			1	1	Violation of probation.	14 to 18 months Clinton prison.
1			1	1		
Total, 19; women, 2; tried, 0; plead guilty, 19; suspended, 5; probation, 4.						
1	County and Supreme	Third quarter.		1	Abduction	prison.
1				1		prison.
3				3		son.
1			1	1	none	
1			1	1	none	
2			1	1		
1				4		
4				7	Misdemeanor	
7				7	Misdemeanor	
1				1	Misdemeanor	
2				2	Misdemeanor	
3				3	Misdemeanor	
Total, 27; women, 4; tried, 2; plead guilty, 25; suspended, 11; probation, 8.						
1	County and Supreme	Fourth quarter..		1	Assault, second degree	prison.
2				2	Assault, second degree	prison.
1				1	Assault, second degree	prison.
1				1	Assault, second degree	prison.
3				3	Assault, second degree	
2				2	Assault, second degree	
1			1		Burglary, third degree	4 years Clinton prison.
1			1		Burglary, third degree	1 year Clinton prison.
1			1		Burglary, third degree	20 to 60 months Clinton prison.
2			2		Burglary, third degree	18 to 24 months Clinton prison.
1			1		Burglary, third degree	

1	1	Burglary, third degree	1	1	prison.
2	1	Burglary, third degree	1	1	
1	1	Carrying concealed weapons	1	1	
1	1	Forgery, second degree	1	1	
1	1	Larceny, second degree	1	1	
1	1	Misdemeanor	1	1	
2	1	Misdemeanor	2	1	
3	1	Misdemeanor	3	1	
1	1	Misdemeanor	1	1	
1	1	Misdemeanor	1	1	
1	1	Misdemeanor	1	1	
1	1	Misdemeanor	1	1	
1	1	Misdemeanor	1	1	
1	1	Misdemeanor	1	1	
6	3	Misdemeanor	6	3	
31	2	Misdemeanor	31	2	
1	1	Suicide	1	1	
Total, 62; women, 0; tried, 2; plead guilty, 60; suspended, 34; probation, 16.					

COUNTY OF SARATOGA

1	County and Supreme.	First quarter...	1	1	Fined \$150.
2			2	2	Suspended.
1			1	1	Elmira reformatory.
6			6	6	Suspended.
1			1	1	12 to 18 months Clinton prison.
1			1	1	180 days jail.
1			1	1	150 days jail.
1			1	1	10 to 19 years Auburn prison.
1			1	1	10 to 19 years Clinton prison.
2			2	2	300 days jail or \$300.
2			2	2	250 days jail or \$250.
1			1	1	120 days jail.
1			1	1	60 days jail.
1			1	1	Suspended.
1			1	1	500 days jail or \$500.
Violation Article 88, Section 970					
Total, 23; women, 5; tried, 3; plead guilty, 20; suspended, 9; probation, 0.					
1	County.....	Second quarter..	1	1	Violation Liquor Tax Law..... 100 days jail or \$150.

1 | County	Third quarter	1 | Carrying concealed weapons	1 | 750 days jail or \$500
1 |		Misdemeanor	300 days jail.
2 |		Misdemeanor	120 days jail.
	Total, 4; women, 0; tried, 0; plead guilty, 4; suspended, 0; probation, 0.		
1 | Supreme	Fourth quarter	1 | Assault, second degree	100 days jail or \$100.
1 |		Assault, second degree	Suspended.
1 |		Crime against nature	3 to 5 years Clinton prison.
1 |		Misdemeanor	30 days jail or \$30.
1 |		Misdemeanor	Not stated.
1 |		Misdemeanor	Suspended.
	Total, 6; women, 0; tried, 0; plead guilty, 6; suspended, 2; probation, 0.		

COUNTY OF SCHENECTADY

County and Supreme.	First quarter	1 1 1 1 1 2 1	1 1 1 1 1 2 1	5 years Clinton prison. 29 to 66 months Clinton prison. 150 days jail. 120 days jail. Fined \$250. Probation. Fined \$175.
	Total, 8; women, 0; tried, 0; plead guilty, 8; suspended, 0; probation, 2.			
County....	Second quarter	1 1	1 1	Assault, first degree. Manslaughter, second degree....
	Total, 2; women, 0; tried, 1; plead guilty, 1; suspended, 0; probation, 0.			2 to 4 years Clinton prison. 0 to 12 years Clinton prison.
Supreme	Third quarter	1	1	Burglary, third degree
	Total, 1; women, 0; tried, 0; plead guilty, 1; suspended, 0; probation, 0.			1 year Clinton prison.
	Fourth quarter			No convictions.

COUNTY OF SCHUYLER

1 | County	First quarter	1 | Burglary, third degree	1 | Elmira reformatory.
	Total, 1; women, 0; tried, 0; plead guilty, 1; suspended, 0; probation, 0.		
1 | County	Second quarter	1 | Misdemeanor	12 months penitentiary
	Total, 1; women, 1; tried, 1; plead guilty, 0; suspended, 0; probation, 0.		
	Third quarter	1 | No convictions.	
	Fourth quarter	1 | No convictions.	

TABLE A — COUNTY OF SENECA

Number of convictions	County	Date of conviction	Before convicted	Never convicted	Offenses	Sentence
1	County	First quarter	1	1	4 years and 4 months Auburn prison.	
1			1	1	Fined \$100.	
1			1	1	Suspended.	
1			1	1	3 to 6½ years Auburn prison.	
1			1	1	Fined \$200.	
					Violation Liquor Tax Law	
					Total, 5; women, 0; tried, 1; plead guilty, 4; suspended, 1; probation, 0.	
2	County	Second quarter	1	2	Elmira reformatory.	
1			1	1	12 to 18 months Auburn prison.	
1			1	1	Elmira reformatory.	
1			1	1	Fined \$125.	
					Misdemeanor	
					Total, 5; women, 0; tried, 0; plead guilty, 5; suspended, 0; probation, 0.	
1	County	Third quarter	1	1	Larceny, second degree	To join the army.
					Total, 1; women, 0; tried, 0; plead guilty, 1; suspended, 0; probation, 0.	
1	County	Fourth quarter	1	1	Assault, second degree	12 to 20 months Auburn prison.
1			1	1	Forgery, second degree	1½ years Auburn prison.
					Total, 2; women, 0; tried, 0; plead guilty, 2; suspended, 0; probation, 0.	

COUNTY OF STEUBEN

1	County and Supreme	First quarter	1	1	Assault, first degree	Fined \$50—probation.
1			1	1	Burglary, third degree	Elmira reformatory.
1			1	1	Larceny, first degree	Fined \$100—probation.
1			1	1	Larceny, first degree	Elmira reformatory.
1			1	1	Larceny, second degree	Elmira reformatory.
1			1	1	Manlaughter, second degree	500 days jail or \$500.
1			1	1	Suicide	Probation.
1			1	1	Violation Highway Law	25 days jail or \$25.
					Total, 8; women, 1; tried, 1; plead guilty, 7; suspended, 0; probation, 3.	

TABLE A — COUNTY OF SUFFOLK — (Continued)

Number of convictions	County	Date of conviction	Before convicted	Never convicted	Offense	Sentence
2	County	First quarter	1	2	Misdemeanor	60 days jail.
1				1	Misdemeanor	50 days jail or \$250.
1				1	Misdemeanor	40 days jail or \$200.
1			1		Rape, first degree	3 years and 3 months Auburn prison
		Total, 14; women, 0; tried, 2; plead guilty, 12; suspended, 1; probation, 1.				
1	County	Second quarter	1	1		75 days jail or \$150.
1			1	1		Elmira reformatory.
4			4		Larceny, second degree	120 days jail
1			1		Misdemeanor	90 days jail
1			1		Misdemeanor	50 days jail or \$50.
1			1		Misdemeanor	25 days jail or \$75.
1			1		Misdemeanor	Suspended—probation.
1			1		Rape, second degree	180 days jail
		Total, 11; women, 0; tried, 0; plead guilty, 11; suspended, 1; probation, 1.				
1	County	Third quarter	1		Assault, first degree	as prison.
1			1		Assault, first degree	
1			1		Assault, second degree	
1			1		Misdemeanor	
1			1		Misdemeanor	
1			1		Misdemeanor	
		Total, 6; women, 0; tried, 1; plead guilty, 5; suspended, 0; probation, 0.				
1	County	Fourth quarter	1	1		30 to 64 months Sing Sing prison.
1			1	1		60 days jail.
1			1	1		Suspended—probation.
1			1	1		100 days jail or \$100.
1			2	2		60 days jail
1			1	1		50 days jail or \$100.
1			1	1		30 days jail and \$50.
1			1			3 days jail or \$10.
1			1			Bond required—not stated
2			2			Suspended—probation.
		Total, 12; women, 0; tried, 1; plead guilty, 11; suspended, 3; probation, 3.				

COUNTY OF SULLIVAN

1	County.....	1	Burglary, third degree.....	90 to 48 months Clinton prison.
1		1	Misdemeanor.....	100 days jail or \$100.
1		1	Misdemeanor.....	Suspended.
Total, 3; women, 0; tried, 0; plead guilty, 3; suspended, 1; probation, 0.				
1	County.....	1	Burglary, third degree.....	Elmira reformatory.
1		1	Misdemeanor.....	60 days jail or \$50.
Total, 2; women, 1; tried, 0; plead guilty, 2; suspended, 0; probation, 0.				
2	County.....	2	Larceny, second degree.....	2½ to 4½ years Clinton prison.
1		1	Larceny, second degree.....	2 to 2½ years Clinton prison.
1		1	Larceny, second degree.....	12 to 14 months Clinton prison.
1		1	Larceny, second degree.....	Elmira reformatory.
1		1	Larceny, second degree.....	Suspended.
1		1	Violation Article 86, Section 963.....	60 days jail or \$50.
Total, 7; women, 0; tried, 1; plead guilty, 6; suspended, 1; probation, 0.				
1	Supreme.....	1	Forgery, second degree.....	
1		1	Larceny, first degree.....	
1		1	Larceny, second degree.....	
1		1	Larceny, second degree.....	
2		2	Larceny, second degree.....	
1		1	Rape, first degree.....	
Total, 7; women, 0; tried, 0; plead guilty, 7; suspended, 5; probation, 2.				

COUNTY OF TIOGA

1	County.....	1	Assault, second degree.....	2 to 4 years and 6 months Auburn prison.
1		1	Violation Liquor Tax Law.....	90 days jail and \$200.
Total, 2; women, 0; tried, 2; plead guilty, 0; suspended, 0; probation, 0.				
1	County and Supreme.....	1	Violation Highway Law.....	Suspended.
1		1	Violation Liquor Tax Law.....	90 days jail and \$100.
1		1	Violation Liquor Tax Law.....	Suspended.
Total, 3; women, 0; tried, 0; plead guilty, 3; suspended, 2; probation, 0.				
1	County and Supreme.....	1	Abduction.....	Suspended.
1		1	Burglary, third degree.....	Elmira reformatory.
Total, 2; women, 0; tried, 0; plead guilty, 2; suspended, 1; probation, 0.				
1	Fourth quarter.....	1	Violation Highway Law.....	100 days jail or \$100.
Total, 1; women, 0; tried, 0; plead guilty, 1; suspended, 0; probation, 0.				

TABLE A — COUNTY OF TOMPKINS

Number of convictions	Courts	Date of conviction	Before convicted	Never convicted	OFFENSE	SENTENCE
1	County	First quarter.	..	1	Misdemeanor ..	75 days jail.
		Total, 1 ; women, 0 ;	tried, 0 ;	plead guilty, 1 ;	suspended, 0 ;	probation, 0.
1	County and Supreme	Second quarter	..	1	Assault, second degree ..	Not stated—probation.
1			..	1	Burglary, third degree ..	12 months penitentiary.
2			2		Burglary, third degree ..	Elmira reformatory.
2			..	2	Burglary, third degree ..	Probation
1			..	1		3½ to 7 years Auburn prison.
1			1			26 to 51 months Auburn prison.
1			1			10 to 20 years Auburn prison.
		Total, 9 ; women, 0 ;	tried, 3 ;	plead guilty, 6 ;	suspended, 0 ;	probation, 3.
		Third quarter...	..	..	No convictions.	
1	County and Supreme	Fourth quarter	..	1		7½ to 15 years Auburn prison.
1			1			3 years and 6 months Auburn prison.
1			1			Not stated.
1			1			11 years and 2 months Auburn prison.
1			1			60 days jail and \$100.
1			1			5 to 9-12 years Auburn prison
		Total, 6 ; women, 2 ;	tried, 3 ;	plead guilty, 3 ;	suspended, 0 ;	probation, 0.

COUNTY OF ULSTER

1	County	First quarter...	..	1	Assault, first degree ..	4 5-12 to 9 5-12 years Clinton prison.
		Total, 1 ; women, 0 ;	tried, 1 ;	plead guilty, 0 ;	suspended, 0 ;	probation, 0.
1	County	Second quarter...	2		Assault, second degree ..	60 days jail.
2			1			Suspended—probation.
1			..			7½ to 14½ years Clinton prison.
4			..			60 days jail or \$50.
1			..		Violation Liquor Tax Law ..	Fined \$200.
3			..		Violation Liquor Tax Law ..	Fined \$50.
		Total, 12 ; women, 0 ;	tried, 1 ;	plead guilty, 11 ;	suspended, 2 ;	probation, 2.

County.....	Third quarter..	1	Carrying concealed weapons	1	Fined \$300.
1			Larceny, first degree.....	1	Suspended.
1			Misdemeanor.....		Fined \$50.
1			Misdemeanor.....		Fined \$16.50—probation.
3	Total, 11; women, 0; tried, 0; plead guilty, 11; suspended, 1; probation, 8.				
County.....	Fourth quarter..	1	Burglary, third degree		3 years Clinton prison.
1		1	Burglary, third degree		25 to 36 months Clinton prison.
1			Carrying concealed weapons		50 days jail or \$50
1		1	Larceny, second degree		New York City reformatory.
1			Misdemeanor		180 days jail.
1	Total, 5; women, 0; tried, 0; plead guilty, 5; suspended, 0; probation, 0.				

COUNTY OF WARREN

County.....	First quarter...		No convictions.		
1			No convictions.		
3		1	Misdemeanor.....		15 days jail and \$100.
1		3	Misdemeanor		Suspended—probation.
1			Receiving stolen goods.		250 days jail or \$250.
1		1	Robbery, second degree		2 to 3 years Auburn prison for women.
1	Total, 6; women, 1; tried, 1; plead guilty, 5; suspended, 3; probation, 3.				
1	Fourth quarter..	1	Larceny, second degree.....		Suspended.
1			Larceny, second degree.....		Suspended.
1	Total, 1; women, 0; tried, 0; plead guilty, 1; suspended, 1; probation, 0.				

COUNTY OF WASHINGTON

County and Supreme...	First quarter	1	Suspended.		
1		1	1 to 2 years Clinton prison.		
1		1	Suspended.		
1		1	1 to 2 years Clinton prison.		
1			Fined \$150.		
2		1	Suspended.		
1		1	30 days jail and \$200.		
1		2	Fined \$100.		
2	Total, 10; women, 0; tried, 1 plead guilty, 9; suspended, 3; probation, 0.				
County and Supreme...	Second quarter..		No convictions.		
1		1			12 to 17 months Clinton prison.
2		1			1 year Clinton prison.
1		1			Suspended.
1		1			2 years Clinton prison.
1		1			12 to 15 months Clinton prison.

TABLE A — COUNTY OF WESTCHESTER — (Continued)

Number of convictions	County	Date of conviction	Before convicted	Never convicted	Offense	Sentence
3	County	Fourth quarter..	....	3	Abandonment .. .	
1			1	1	Abduction .. .	
1			1	1	Assault, first degree .. .	on.
1			1	1	Assault, first degree .. .	on.
1			1	1	Assault, second degree .. .	in prison.
1			1	1	Assault, second degree .. .	in prison.
1			1	1	Assault, second degree .. .	
1			2	1	Assault, second degree .. .	
1			1	1	Assault, second degree .. .	
1			1	1	Assault, second degree .. .	
1			1	1	Burglary, third degree .. .	
1			3	1	Burglary, third degree .. .	
1			1	1	Burglary, third degree .. .	
1			1	2	Burglary, third degree .. .	
1			1	2	Burglary, third degree .. .	
1			1	2	Carrying concealed weapons .. .	
1			1	2	Carrying concealed weapons .. .	
1			1	2	Escaping prisoner .. .	
1			1	2	Escaping prisoner .. .	
1			1	1	Forgery, second degree .. .	100.
1			1	1	Larceny, first degree .. .	on.
1			1	1	Larceny, second degree .. .	
1			1	1	Larceny, second degree .. .	
1			1	2	Larceny, second degree .. .	
1			1	1	Larceny, second degree .. .	
1			1	1	Larceny, second degree .. .	
1			1	2	Larceny, second degree .. .	
1			1	2	Misdemeanor .. .	65.
1			1	2	Misdemeanor .. .	
1			1	2	Misdemeanor .. .	
1			1	1	Misdemeanor .. .	
1			1	1	Misdemeanor .. .	
1			1	1	Misdemeanor .. .	
1			1	1	Misdemeanor .. .	
1			1	1	Rape, first degree, attempted .. .	
1			1	1	Rape, first degree .. .	
1			1	1	Rape, second degree .. .	
1			1	1	Rape, second degree, attempted .. .	
1			1	1	Rape, second degree, attempted .. .	
1			2	1	Robbery, third degree .. .	
1			1	1	Robbery, third degree .. .	

Perjury.....	2	1	2	103	78	34	28	57
Rape, first degree.....	1	1	1	1	1	1	1	1
Rape, second degree.....	1	16	5	5	2	2	2	2
Receiving stolen goods.....	2	7	6	13	2	1	1	1
Riot.....	8	6	1	1	1	1	1	1
Robbery, first degree.....	1	1	1	1	1	1	1	1
Robbery, second degree.....	1	1	1	1	1	1	1	1
Robbery, third degree.....	1	1	1	1	1	1	1	1
Seduction.....	1	1	1	1	1	1	1	1
Suicide.....	1	1	1	1	1	1	1	1
Violation Election Law.....	1	1	1	1	1	1	1	1
Violation Health Law.....	1	1	1	1	1	1	1	1
Violation Highway Law.....	5	5	6	15	6	3	3	7
Violation Liquor Tax Law.....	1	1	1	1	1	1	1	1
Violation Article 16, Section 190.....	1	1	1	1	1	1	1	1
Violation Article 35, Section 408.....	1	1	1	1	1	1	1	1
Violation Article 44, Section 492.....	1	1	1	1	1	1	1	1
Violation Article 86, Section 934.....	2	2	1	1	3	1	1	1
Violation Article 88.....	1	1	1	1	1	1	1	1
Violation Article 98, Section 1090.....	1	1	1	1	1	1	1	1
Violation Article 112, Section 1202.....	1	1	1	1	1	1	1	1
Violation Article 134, Section 1423.....	1	1	1	1	1	1	1	1
Violation Article 162, Section 1696.....	1	1	1	1	1	1	1	1
Violation Article 166, Section 1746.....	1	1	1	1	1	1	1	1
Violation Article 170, Section 1872.....	1	1	1	1	1	1	1	1
Violation Article 172, Section 1895.....	1	1	1	1	1	1	1	1
Violation Article 174, Section 1934.....	1	1	1	1	1	1	1	1
Violation Article 175.....	1	1	1	1	1	1	1	1
Violation Article 220, Section 2460.....	1	1	1	1	1	1	1	1
	92	12	378	103	78	34	28	57

TABLE B—(Continued)

	Chenango	Clinton	Columbia	Cortland	Delaware	Dutchess	Erie	Essex
Abandonment.....	.....	1	.....	3	.....	.....	23	1
Abduction.....	.....	.....	.....	.....	.....	.....	.....	.....
Abortion.....	.....	.....	.....	.....	.....	.....	.....	.....
Arson, first degree.....	.....	.....	.....	.....	.....	.....	.....	.....
Arson, second degree.....	.....	.....	.....	.....	.....	.....	.....	.....
Arson, third degree.....	.....	.....	.....	.....	.....	1	2	.....
Assault, first degree.....	1	.....	.....	.....	.....	.....	.....	.....
Assault, second degree.....	2	4	1	.....	.....	3	56	4
Bigamy.....	.....	.....	.....	.....	.....	.....	5	1
Blackmail.....	.....	.....	.....	.....	.....	.....	.....	.....
Bribery.....	.....	.....	.....	.....	.....	.....	.....	.....
Burglary, first degree.....	.....	.....	.....	.....	.....	.....	.....	.....
Burglary, second degree.....	.....	.....	.....	.....	.....	1	1	.....
Burglary, third degree.....	6	2	2	6	.....	7	59	5
Carrying concealed weapons.....	.....	1	1	1	.....	3	9	1
Conspiracy.....	.....	.....	.....	.....	.....	.....	.....	.....
Crime against nature.....	.....	.....	.....	.....	.....	.....	2	.....
Escaping prisoner.....	.....	2	.....	1	.....	.....	1	.....
Extortion.....	.....	.....	.....	.....	.....	.....	.....	.....
Forgery, first degree.....	.....	.....	.....	.....	.....	.....	.....	.....
Forgery, second degree.....	1	.....	.....	.....	.....	3	2	.....
Forgery, third degree.....	.....	.....	.....	.....	.....	.....	3	.....
Incest.....	.....	.....	.....	.....	.....	.....	.....	.....
Kidnapping.....	.....	.....	.....	.....	.....	.....	.....	.....
Larceny, first degree.....	.....	.....	.....	.....	.....	1	8	.....
Larceny, second degree.....	1	5	6	2	.....	3	52	.....
Larceny, petit.....	.....	.....	.....	.....	.....	.....	.....	.....
Maiming.....	.....	.....	.....	.....	.....	.....	1	2
Manslaughter, first degree.....	.....	.....	.....	.....	.....	.....	8	.....
Manslaughter, second degree.....	.....	1	.....	.....	.....	.....	8	.....
Misdemeanor.....	4	7	2	3	1	52	170	6
Murder, first degree.....	.....	.....	.....	.....	.....	.....	.....	.....
Murder, second degree.....	.....	.....	.....	.....	.....	.....	2	2
Perjury.....	3	.....	.....	.....	.....	.....	.....	.....
Rape, first degree.....	.....	.....	.....	.....	1	.....	.....	.....
Rape, second degree.....	4	1	.....	.....	1	.....	1	.....
Receiving stolen goods.....	1	2	.....	.....	.....	2	16	.....

TABLE B — (Continued)

	Oneida	Onondaga	Ontario	Orange	Orleans	Oswego	Otsego	Putnam
Abandonment.....	2	.....	3	6	1	6	.....	.....
Abduction.....	1	.....	1	.....	.....	.....	.....	.....
Abortion.....	.....	.....	1	.....	.....	.....	.....	.....
Arson, first degree.....	.....	.....	.....	.....	.....	.....	.....	.....
Arson, second degree.....	.....	.....	.....	.....	.....	.....	.....	.....
Arson, third degree.....	1	.....	.....	.....	.....	.....	.....	.....
Assault, first degree.....	4	2	.....	.....	.....	3	.....	.....
Assault, second degree.....	14	8	2	8	.....	7	1	.....
Bigamy.....	.....	2	.....	.....	.....	3	.....	.....
Blackmail.....	.....	.....	.....	.....	.....	.....	.....	.....
Bribery.....	.....	2	.....	.....	.....	.....	.....	.....
Burglary, first degree.....	.....	.....	.....	.....	.....	.....	.....	1
Burglary, second degree.....	2	1	.....	.....	1	.....	1	.....
Burglary, third degree.....	24	32	4	24	4	7	1	.....
Carrying concealed weapons.....	2	3	1	.....	.....	1	.....	5
Conspiracy.....	.....	3	.....	.....	.....	.....	.....	1
Crime against nature.....	2	4	1	1	1	.....	.....	.....
Escaping prisoner.....	.....	2	.....	.....	.....	.....	.....	.....
Extortion.....	.....	.....	.....	.....	.....	.....	.....	.....
Forgery, first degree.....	.....	.....	.....	.....	.....	.....	.....	.....
Forgery, second degree.....	4	11	.....	1	1	1	1	.....
Forgery, third degree.....	.....	.....	.....	.....	.....	1	.....	.....
Incest.....	.....	.....	.....	.....	.....	.....	.....	.....
Kidnapping.....	.....	.....	.....	.....	.....	.....	.....	.....
Larceny, first degree.....	4	5	2	2	.....	1	.....	.....
Larceny, second degree.....	18	31	4	7	1	3	4	.....
Larceny, petit.....	.....	.....	.....	2	.....	.....	.....	.....
Maiming.....	.....	.....	.....	.....	.....	.....	.....	.....
Manslaughter, first degree.....	.....	.....	.....	2	.....	1	.....	.....
Manslaughter, second degree.....	1	1	.....	.....	.....	.....	.....	.....
Misdemeanor.....	46	63	4	17	.....	5	2	4
Murder, first degree.....	.....	.....	.....	.....	.....	.....	.....	.....
Murder, second degree.....	.....	1	.....	1	.....	.....	.....	.....
Perjury.....	.....	1	.....	1	.....	.....	.....	.....
Rape, first degree.....	.....	1	1	2	.....	1	.....	.....
Rape, second degree.....	1	9	.....	.....	.....	.....	.....	.....
Receiving stolen goods.....	.....	5	.....	6	.....	0	.....	.....

TABLE B—(Continued)

	Queens	Rensselaer	Richmond	Rockland	St. Lawrence	Saratoga	Schenectady	Schoharie
Abandonment.....	3	.....	3	.....	1	1	1	.....
Abduction.....	.....	.....	1	1	1	.....	1	.....
Abortion.....	.....	.....	.....	.....	.....	.....	.....	.....
Arson, first degree.....	.....	.....	.....	.....	.....	.....	.....	.....
Arson, second degree.....	.....	.....	.....	.....	.....	.....	.....	.....
Arson, third degree.....	.....	1	.....	.....	.....	.....	.....	.....
Assault, first degree.....	1	1	1	1	.....	.....	.....	2
Assault, second degree.....	17	2	1	1	12	3	4	.....
Bigamy.....	1	.....	2	.....	2	.....	.....	.....
Blackmail.....	1	.....	.....	.....	.....	.....	.....	.....
Bribery.....	.....	.....	.....	.....	.....	.....	.....	.....
Burglary, first degree.....	.....	1	.....	.....	.....	.....	.....	.....
Burglary, second degree.....	4	.....	.....	.....	.....	.....	.....	.....
Burglary, third degree.....	31	16	10	8	15	9	5	2
Carrying concealed weapons.....	4	.....	1	1	5	.....	1	.....
Conspiracy.....	.....	.....	.....	.....	.....	.....	.....	.....
Crime against nature.....	1	.....	2	.....	.....	.....	1	.....
Escaping prisoner.....	.....	.....	.....	1	.....	.....	1	.....
Extortion.....	.....	.....	.....	.....	.....	.....	.....	.....
Forgery, first degree.....	.....	.....	.....	.....	.....	.....	.....	.....
Forgery, second degree.....	2	.....	.....	.....	3	3	.....	.....
Forgery, third degree.....	.....	.....	1	.....	.....	.....	.....	.....
Incest.....	.....	.....	.....	.....	.....	.....	.....	.....
Kidnapping.....	.....	.....	.....	.....	.....	.....	.....	.....
Larceny, first degree.....	.....	2	.....	.....	.....	.....	.....	.....
Larceny, second degree.....	12	5	2	1	3	1	1	.....
Larceny, petit.....	.....	.....	.....	.....	.....	.....	.....	.....
Maiming.....	.....	1	.....	.....	.....	.....	.....	.....
Manslaughter, first degree.....	.....	.....	.....	.....	.....	.....	.....	.....
Manslaughter, second degree.....	.....	11	45	6	70	10	16	1
Misdemeanor.....	52	.....	.....	.....	.....	.....	.....	3
Murder, first degree.....	.....	.....	.....	.....	.....	.....	.....	.....
Murder, second degree.....	.....	.....	.....	3	.....	.....	.....	.....
Perjury.....	.....	.....	.....	.....	.....	.....	.....	.....
Rape, first degree.....	.....	.....	.....	1	.....	.....	.....	.....
Rape, second degree.....	4	.....	.....	1	.....	.....	.....	.....
Receiving stolen goods.....	2	1	1	1	1	.....	.....	.....

TABLE B—(Continued)

	Schoyler	Seneca	Steuben	Suffolk	Sullivan	Tioga	Tompkins	Ulster
Abandonment.....	1	1	1	1	1	1	1	1
Abduction.....	1	1	1	1	1	1	1	1
Adultery.....	1	1	1	1	1	1	1	1
Assault.....	1	1	1	1	1	1	1	1
Burglary.....	1	1	1	1	1	1	1	1
Carrying arms.....	1	1	1	1	1	1	1	1
Child abuse.....	1	1	1	1	1	1	1	1
Child neglect.....	1	1	1	1	1	1	1	1
Conspiracy.....	1	1	1	1	1	1	1	1
Counterfeiting.....	1	1	1	1	1	1	1	1
Drunk driving.....	1	1	1	1	1	1	1	1
Embezzlement.....	1	1	1	1	1	1	1	1
False personation.....	1	1	1	1	1	1	1	1
False swearing.....	1	1	1	1	1	1	1	1
Felony.....	1	1	1	1	1	1	1	1
Forgery.....	1	1	1	1	1	1	1	1
Grand larceny.....	1	1	1	1	1	1	1	1
Harboring.....	1	1	1	1	1	1	1	1
Homicide.....	1	1	1	1	1	1	1	1
Indecent exposure.....	1	1	1	1	1	1	1	1
Incest.....	1	1	1	1	1	1	1	1
Intimidation.....	1	1	1	1	1	1	1	1
Juvenile delinquency.....	1	1	1	1	1	1	1	1
Kidnapping.....	1	1	1	1	1	1	1	1
Larceny.....	1	1	1	1	1	1	1	1
Levying taxes.....	1	1	1	1	1	1	1	1
Manslaughter.....	1	1	1	1	1	1	1	1
Murder.....	1	1	1	1	1	1	1	1
Negligence.....	1	1	1	1	1	1	1	1
Perjury.....	1	1	1	1	1	1	1	1
Rape, first degree.....	1	1	1	1	1	1	1	1
Rape, second degree.....	1	1	1	1	1	1	1	1
Receiving stolen goods.....	1	1	1	1	1	1	1	1

TABLE H — (Continued)

	Warren	Washington	Wayne	Westchester	Wyoming	Yates	Total
Abandonment.....	2	.....	10	1	.....	160
Abduction.....	2	.....	.....	32
Abortion.....	14
From first divorce.....	3
.....	8
.....	1	.....	.....	.....	.....	20
.....	8	2	.....	66
.....	2	1	21	.....	.....	638
.....	1	.....	.....	.....	.....	63
.....	4
.....	20
.....	4
.....	4
.....	34
.....	3	.....	5	6	.....	1,039
.....	2	.....	27	.....	.....	123
.....	1	.....	13	.....	.....	5
.....	52
.....	2	.....	.....	17
.....	1	19
.....	1
.....	1	6	1	.....	149
.....	1	.....	.....	45
.....	7
.....	4
.....	1	.....	6	.....	.....	182
.....	3	23	1	.....	1,026
.....	8
.....	6
.....	44
.....	26
.....	4	5	3	90	1	.....	9,080
.....	1	.....	.....	.....	12
.....	30
.....	29
.....	32
.....	118
.....	1	.....	.....	.....	2	.....	143

TABLE C

Number of Males and Females Convicted of criminal offenses by Courts of Record, in the State of New York, during the year 1917, with the classification of such offenses.

OFFENSES AGAINST THE PERSON

CRIMES	Males	Females
Abandonment.....	155	5
Abduction.....	31	1
Abortion.....	4	10
Assault, first degree.....	63	3
Assault, second degree.....	625	13
Bigamy.....	48	15
Blackmail.....	4	.....
Bribery.....	17	3
Conspiracy.....	5	.....
Crime against nature.....	50	2
Extortion.....	19	.....
Incest.....	7	.....
Kidnapping.....	4	.....
Maiming.....	6	.....
Manslaughter, first degree.....	41	3
Manslaughter, second degree.....	22	3
Murder, first degree.....	12	.....
Murder, second degree.....	30	.....
Perjury.....	27	2
Rape, first degree.....	32	.....
Rape, second degree.....	115	.....
Robbery, first degree.....	102	4
Robbery, second degree.....	87	1
Robbery, third degree.....	44	.....
Seduction.....	10	.....
Suicide.....	6	3
Violation Article 98, Section 1090.....	1	.....
Violation Article 220, Section 2460.....	29	3
Totals.....	1,546	71

OFFENSES AGAINST PROPERTY WITH VIOLENCE

CRIMES	Males	Females
Arson, first degree.....	3	.....
Arson, second degree.....	7	1
Arson, third degree.....	18	2
Burglary, first degree.....	4	.....
Burglary, second degree.....	34	.....
Burglary, third degree.....	1,025	3
Violation Article 178.....	2	1
Totals.....	1,093	7

TABLE C — (Continued)
OFFENSES AGAINST PROPERTY WITHOUT VIOLENCE

CRIMES	Males	Females
Forgery, first degree.....	1	.....
Forgery, second degree.....	140	9
Forgery, third degree.....	42	3
Larceny, first degree.....	173	8
Larceny, second degree.....	984	42
Larceny, petit.....	8	.....
Receiving stolen goods.....	133	10
Totals.....	1,481	73

OTHER OFFENSES NOT INCLUDED IN THE FOREGOING

CRIMES	Males	Females
Carrying concealed weapons.....	121	1
Escaping prisoner.....	17	.....
Misdemeanor.....	2,875	205
Riot.....	9	.....
Violation Election Law.....	2	.....
Violation Health Law.....	3	.....
Violation Highway Law.....	47	.....
Violation Liquor Tax Law.....	232	24
Violation Article 16, Section 190.....	1	.....
Violation Article 38, Section 408.....	14	.....
Violation Article 44, Section 492.....	.....	1
Violation Article 86, Section 934.....	1	.....
Violation Article 88.....	73	.....
Violation Article 112, Section 1202.....	15	.....
Violation Article 134, Section 1423.....	1	.....
Violation Article 162, Section 1696.....	1	.....
Violation Article 166, Section 1746.....	1	.....
Violation Article 170, Section 1872.....	2	.....
Violation Article 172, Section 1895.....	9	.....
Violation Article 174, Section 1934.....	4	.....
Totals.....	3,428	231

Table showing number of convictions in Courts of Record in the State of New York for the eighty-seven years commencing with the year 1830 and ending October 31, 1917.

OFFENSES AGAINST THE PERSON

Year.	No.	Year.	No.
1830.....	227	1875.....	840
1831.....	212	1876.....	801
1832.....	208	1877.....	847
1833.....	362	1878.....	833
1834.....	214	1879.....	868
1835.....	287	1880.....	422
1836.....	316	1881.....	643
1837.....	398	1882.....	621
1838.....	296	1883.....	386
1839.....	287	1884.....	386
1840.....	463	1885.....	409
1841.....	458	1886.....	527
1842.....	484	1887.....	503
1843.....	498	1888.....	506
1844.....	394	1889.....	508
1845.....	471	1890.....	550
1846.....	384	1891.....	617
1847.....	396	1892.....	...
1848.....	443	1893.....	501
1849.....	383	1894.....	437
1850.....	391	1895.....	1,086
1851.....	409	1896.....	765
1852.....	411	1897.....	669
1853.....	482	1898.....	618
1854.....	420	1899.....	751
1855.....	395	1900.....	721
1856.....	425	1901.....	697
1857.....	375	1902.....	847
1858.....	434	1903.....	798
1859.....	425	1904.....	985
1860.....	599	1905.....	1,000
1861.....	562	1906.....	872
1862.....	377	1907.....	863
1863.....	428	1908.....	1,118
1864.....	420	1909.....	1,180
1865.....	417	1910.....	1,151
1866.....	555	1911.....	1,216
1867.....	453	1912.....	1,243
1868.....	555	1913.....	1,402
1869.....	564	1914.....	1,627
1870.....	510	1915.....	1,830
1871.....	554	1916.....	1,574
1872.....	591	1917.....	1,617
1873.....	722		
1874.....	651		

OFFENSES AGAINST PROPERTY WITH VIOLENCE

Year.	No.	Year.	No.
1830.....	102	1848.....	120
1831.....	93	1849.....	150
1832.....	79	1850.....	199
1833.....	75	1851.....	148
1834.....	99	1852.....	228
1835.....	92	1853.....	185
1836.....	86	1854.....	189
1837.....	121	1855.....	268
1838.....	112	1856.....	248
1839.....	115	1857.....	340
1840.....	120	1858.....	329
1841.....	121	1859.....	341
1842.....	175	1860.....	381
1843.....	244	1861.....	340
1844.....	172	1862.....	215
1845.....	177	1863.....	240
1846.....	133	1864.....	109
1847.....	132	1865.....	239

OFFENSES AGAINST PROPERTY WITH VIOLENCE — (Continued)

Year.	No.	Year.	No.
1866.....	467	1892.....	833
1867.....	391	1893.....	905
1868.....	417	1894.....	826
1869.....	465	1895.....	788
1870.....	442	1896.....	1,130
1871.....	479	1897.....	935
1872.....	497	1898.....	832
1873.....	525	1899.....	883
1874.....	716	1900.....	1,154
1875.....	917	1901.....	990
1876.....	832	1902.....	865
1877.....	1,205	1903.....	1,021
1878.....	1,013	1904.....	1,106
1879.....	731	1905.....	1,114
1880.....	788	1906.....	1,188
1881.....	617	1907.....	1,833
1882.....	630	1908.....	1,558
1883.....	569	1909.....	1,194
1884.....	535	1910.....	1,301
1885.....	602	1911.....	1,427
1886.....	654	1912.....	1,890
1887.....	698	1913.....	1,664
1888.....	803	1914.....	1,858
1889.....	844	1915.....	1,167
1890.....	804	1916.....	1,100
1891.....	950	1917.....	

OFFENSES AGAINST PROPERTY WITHOUT VIOLENCE

Year.	No.	Year.	No.
1830.....	502	1874.....	1,422
1831.....	464	1875.....	1,056
1832.....	440	1876.....	1,187
1833.....	462	1877.....	1,304
1834.....	355	1878.....	1,223
1835.....	426	1879.....	876
1836.....	379	1880.....	968
1837.....	447	1881.....	1,025
1838.....	472	1882.....	1,069
1839.....	479	1883.....	1,063
1840.....	487	1884.....	2,000
1841.....	460	1885.....	1,121
1842.....	504	1886.....	1,438
1843.....	504	1887.....	1,312
1844.....	489	1888.....	1,410
1845.....	467	1889.....	1,154
1846.....	471	1890.....	1,352
1847.....	398	1891.....	1,540
1848.....	512	1892.....	1,504
1849.....	545	1893.....	1,182
1850.....	521	1894.....	1,913
1851.....	475	1895.....	1,718
1852.....	480	1896.....	2,066
1853.....	573	1897.....	1,615
1854.....	580	1898.....	1,715
1855.....	574	1899.....	1,967
1856.....	573	1900.....	1,112
1857.....	607	1901.....	1,991
1858.....	577	1902.....	1,783
1859.....	439	1903.....	2,196
1860.....	566	1904.....	2,247
1861.....	619	1905.....	1,508
1862.....	449	1906.....	1,694
1863.....	505	1907.....	2,067
1864.....	436	1908.....	1,954
1865.....	907	1909.....	1,755
1866.....	1,119	1910.....	1,884
1867.....	1,063	1911.....	1,982
1868.....	986	1912.....	1,665
1869.....	914	1913.....	1,900
1870.....	841	1914.....	2,000
1871.....	864	1915.....	1,553
1872.....	792	1916.....	1,554
1873.....	1,160	1917.....	

OFFENSES AGAINST THE CURRENCY

Year.	No.	Year.	No.
1830.....	74	1874.....	59
1831.....	63	1875.....	87
1832.....	60	1876.....	86
1833.....	61	1877.....	103
1834.....	53	1878.....	203
1835.....	34	1879.....	74
1836.....	32	1880.....	56
1837.....	52	1881.....	57
1838.....	42	1882.....	53
1839.....	51	1883.....	43
1840.....	49	1884.....	41
1841.....	49	1885.....	56
1842.....	63	1886.....	57
1843.....	78	1887.....	56
1844.....	60	1888.....	72
1845.....	54	1889.....	86
1846.....	38	1890.....	81
1847.....	24	1891.....	92
1848.....	33	1892.....	92
1849.....	43	1893.....	88
1850.....	86	1894.....	87
1851.....	49	1895.....	...
1852.....	50	1896.....	1
1853.....	52	1897.....	...
1854.....	75	1898.....	1
1855.....	37	1899.....	2
1856.....	49	1900.....	...
1857.....	63	1901.....	...
1858.....	90	1902.....	2
1859.....	89	1903.....	...
1860.....	121	1904.....	...
1861.....	150	1905.....	...
1862.....	75	1906.....	...
1863.....	68	1907.....	...
1864.....	60	1908.....	...
1865.....	52	1909.....	...
1866.....	56	1910.....	...
1867.....	49	1911.....	...
1868.....	41	1912.....	...
1869.....	48	1913.....	...
1870.....	32	1914.....	...
1871.....	54	1915.....	...
1872.....	39	1916.....	...
1873.....	50	1917.....	...

OTHER OFFENSES NOT INCLUDED IN THE FOREGOING

Year.	No.	Year.	No.
1830.....	144	1855.....	556
1831.....	94	1856.....	212
1832.....	98	1857.....	168
1833.....	153	1858.....	206
1834.....	148	1859.....	505
1835.....	237	1860.....	545
1836.....	150	1861.....	604
1837.....	145	1862.....	500
1838.....	164	1863.....	372
1839.....	186	1864.....	356
1840.....	274	1865.....	369
1841.....	427	1866.....	473
1842.....	376	1867.....	860
1843.....	386	1868.....	381
1844.....	312	1869.....	471
1845.....	520	1870.....	324
1846.....	440	1871.....	389
1847.....	40	1872.....	469
1848.....	425	1873.....	462
1849.....	404	1874.....	520
1850.....	410	1875.....	523
1851.....	401	1876.....	545
1852.....	434	1877.....	568
1853.....	558	1878.....	655
1854.....	853	1879.....	880

OTHER OFFENSES NOT INCLUDED IN FOREGOING — (Continued)

Year.	No.	Year.	No.
1880.....	595	1900.....	528
1881.....	581	1901.....	513
1882.....	494	1902.....	688
1883.....	418	1903.....	488
1884.....	252	1904.....	538
1885.....	308	1905.....	589
1886.....	374	1906.....	1,649
1887.....	780	1907.....	1,784
1888.....	452	1908.....	2,333
1889.....	564	1909.....	2,165
1890.....	487	1910.....	1,946
1891.....	399	1911.....	2,256
1892.....	...	1912.....	2,784
1893.....	357	1913.....	3,308
1894.....	378	1914.....	3,897
1895.....	461	1915.....	4,470
1896.....	496	1916.....	2,984
1897.....	718	1917.....	3,650
1898.....	401		
1899.....	562		

Total number of convictions in Courts of Record in the State of New York for each year for the eighty-seven years commencing 1830 and ending October 31, 1917.

Year.	No.	Year.	No.
1830.....	69	1875.....	3,423
1831.....	6	1876.....	3,451
1832.....	6	1877.....	3,827
1833.....	8	1878.....	3,829
1834.....	9	1879.....	3,216
1835.....	16	1880.....	2,847
1836.....	18	1881.....	2,928
1837.....	31	1882.....	2,887
1838.....	36	1883.....	2,474
1839.....	18	1884.....	2,315
1840.....	18	1885.....	2,491
1841.....	15	1886.....	2,860
1842.....	32	1887.....	3,301
1843.....	10	1888.....	3,243
1844.....	27	1889.....	3,156
1845.....	30	1890.....	3,364
1846.....	11	1891.....	3,607
1847.....	34	1892.....	3,202
1848.....	27	1893.....	3,283
1849.....	51	1894.....	2,940
1850.....	52	1895.....	4,468
1851.....	52	1896.....	3,768
1852.....	62	1897.....	4,523
1853.....	14	1898.....	3,567
1854.....	17	1899.....	3,861
1855.....	10	1900.....	4,116
1856.....	67	1901.....	4,481
1857.....	54	1902.....	4,516
1858.....	12	1903.....	3,931
1859.....	31	1904.....	4,685
1860.....	51	1905.....	4,942
1861.....	72	1906.....	5,143
1862.....	16	1907.....	5,529
1863.....	44	1908.....	7,851
1864.....	1,430	1909.....	6,857
1865.....	2,086	1910.....	6,046
1866.....	2,655	1911.....	6,657
1867.....	2,559	1912.....	7,336
1868.....	2,380	1913.....	7,765
1869.....	2,463	1914.....	9,088
1870.....	2,151	1915.....	10,158
1871.....	2,340	1916.....	7,218
1872.....	2,298	1917.....	7,930
1873.....	2,919		
1874.....	3,868		

TABLE D

Number of convictions by Courts of Record in the State of New York for the eighty-seven years commencing with 1830 and ending October 31, 1917.

Year.	Felonies.	Misdemeanors.	Year.	Felonies.	Misdemeanors.
1830.....	446	601	1875.....	2,106	1,324
1831.....	410	608	1876.....	2,040	1,408
1832.....	383	584	1877.....	2,106	1,785
1833.....	386	726	1878.....	2,436	1,472
1834.....	374	877	1879.....	1,679	1,588
1835.....	418	564	1880.....	1,379	1,583
1836.....	396	565	1881.....	1,416	1,801
1837.....	466	645	1882.....	1,609	1,245
1838.....	445	592	1883.....	1,424	1,056
1839.....	455	633	1884.....	1,656	636
1840.....	471	857	1885.....	1,840	647
1841.....	488	822	1886.....	2,071	792
1842.....	551		1887.....	2,165	1,111
1843.....	640		1888.....	2,249	961
1844.....	547		1889.....	2,191	962
1845.....	624		1890.....	2,492	862
1846.....	509		1891.....	2,709	881
1847.....	422		1892.....	2,347	839
1848.....	517		1893.....	2,464	811
1849.....	583		1894.....	2,074	768
1850.....	613		1895.....	2,834	1,591
1851.....	617		1896.....	2,504	1,268
1852.....	724		1897.....	2,925	1,586
1853.....	718		1898.....	2,282	1,274
1854.....	736		1899.....	2,451	1,410
1855.....	734		1900.....	2,599	1,558
1856.....	722		1901.....	2,690	1,710
1857.....	956		1902.....	2,867	1,566
1858.....	948		1903.....	2,537	1,281
1859.....	926		1904.....	3,054	1,627
1860.....	1,049		1905.....	3,276	1,664
1861.....	1,057		1906.....	3,559	1,584
1862.....	690		1907.....	3,776	1,753
1863.....	766		1908.....	5,588	1,763
1864.....	659		1909.....	5,180	1,677
1865.....	1,176		1910.....	4,588	1,453
1866.....	1,513		1911.....	4,971	1,636
1867.....	1,356		1912.....	5,588	1,758
1868.....	1,441		1913.....	5,466	2,279
1869.....	1,270		1914.....	6,266	2,822
1870.....	1,251		1915.....	6,728	3,435
1871.....	1,369		1916.....	4,760	2,458
1872.....	1,281		1917.....	4,850	3,080
1873.....	1,617				
1874.....	2,051				

TABLE D — (Concluded)

Number of convictions by Courts of Record in the State of New York for the year ending October 31, 1917, with classification of crime.

CRIMES	Number	CRIMES	Number
Abandonment.....	160	Murder, second degree.....	30
Abduction.....	32	Perjury.....	29
Abortion.....	14	Rape, first degree.....	32
Arson, first degree.....	3	Rape, second degree.....	115
Arson, second degree.....	8	Receiving stolen goods.....	143
Arson, third degree.....	20	Riot.....	9
Assault, first degree.....	66	Robbery, first degree.....	106
Assault, second degree.....	638	Robbery, second degree.....	38
Bigamy.....	63	Robbery, third degree.....	44
Blackmail.....	4	Seduction.....	10
Bribery.....	20	Suicide.....	9
Burglary, first degree.....	4	Violation Election Law.....	2
Burglary, second degree.....	34	Violation Health Law.....	3
Burglary, third degree.....	1,028	Violation Highway Law.....	47
Carrying concealed weapons.....	122	Violation Liquor Tax Law.....	256
Conspiracy.....	5	Violation Article 16, Section 190.....	1
Crime against nature.....	52	Violation Article 38, Section 408.....	14
Escaping prisoner.....	17	Violation Article 44, Section 492.....	1
Extortion.....	19	Violation Article 86, Section 934.....	1
Forgery, first degree.....	1	Violation Article 88.....	73
Forgery, second degree.....	149	Violation Article 98, Section 1090.....	1
Forgery, third degree.....	45	Violation Article 112, Section 1202.....	15
Incest.....	7	Violation Article 134, Section 1423.....	1
Kidnapping.....	4	Violation Article 162, Section 1696.....	1
Larceny, first degree.....	182	Violation Article 166, Section 1746.....	1
Larceny, second degree.....	1,026	Violation Article 170, Section 1872.....	2
Larceny, petit.....	8	Violation Article 172, Section 1895.....	9
Maiming.....	6	Violation Article 174, Section 1934.....	4
Manslaughter, first degree.....	44	Violation Article 178.....	3
Manslaughter, second degree.....	25	Violation Article 220, Section 2460.....	32
Misdemeanor.....	3,080		
Murder, first degree.....	12	Total.....	7,930

TABLE E — COUNTY OF ALBANY — (Continued)

	Perjury	Rape, second degree	Receiving stolen goods	Robbery, first degree	Robbery, third degree	Violation Liquor Tax Law	Violation Article 88	Totals
From 15 to 21 years of age.....	.....	.....	..... 1	1	.....	.....	.....	10
From 21 to 25 years of age.....	.....	.....	.....	4	1	.....	1	22
From 25 to 30 years of age.....	.....	.....	..... 1	1	.....	2	.....	21
From 30 to 40 years of age.....	2	.....	.....	2	.....	.....	1	25
From 40 to 50 years of age.....	.....	.....	.....	.....	.....	.....	.....	5
From 50 to 60 years of age.....	.....	1	.....	.....	.....	3	.....	9
Natives of United States.....	.....	1	..... 1	5	.....	4	2	66
Natives of Italy.....	2	.....	.....	.....	.....	.....	.....	10
Natives of Ireland.....	.....	.....	..... 1	.....	.....	.....	.....	2
Other foreign countries.....	.....	.....	.....	3	1	1	.....	14
Married.....	2	.....	..... 1	2	.....	5	1	39
Single.....	.....	1	..... 1	6	1	.....	1	53
Can read and write.....	2	1	2	8	1	5	2	91
Cannot read or write.....	.....	.....	.....	.....	.....	.....	.....	1
Had religious instruction.....	2	1	..... 2	8	1	5	2	92
Parents living.....	.....	.....	1	4	1	1	1	33
Father living.....	.....	.....	1	.....	.....	1	.....	13
Mother living.....	2	.....	.....	4	.....	.....	1	19
Parents dead.....	.....	1	.....	.....	.....	3	.....	27
Temperate.....	2	1	..... 1	8	1	5	1	82
Intemperate.....	.....	.....	2	.....	.....	.....	1	10
Before convicted.....	.....	.....	1	5	.....	3	.....	27
Never before convicted.....	2	1	1	3	1	2	2	65

TABLE E — COUNTY OF ALLEGANY

	Assault, second degree	Bigamy	Forgery, second degree	Larceny, second degree	Mis- demcanor	Perjury	Violation Liquor Tax Law	Totals
Number reported.....								
Males.....								12
Females.....								12
From 15 to 21 years of age.....	1	1						0
From 21 to 25 years of age.....								
From 25 to 30 years of age.....	1			1		1	3	6
From 30 to 40 years of age.....								1
From 40 to 50 years of age.....							2	2
Over 50 years of age.....					1			1
Natives of United States.....		1	1	1	1	1	5	10
Natives of Italy.....	2							2
Married.....		1		1		1	2	5
Single.....	2		1				3	7
Can read and write.....		1		1		1	5	8
Cannot read or write.....								4
Had religious instruction.....	2	1	1	1	1	1	5	12
Parents living.....	2							2
Father living.....								1
Mother living.....								1
Parents dead.....		1		1	1		2	3
Temperate.....	2	1	1	1	1	1	3	10
Intemperate.....							2	2
Before convicted.....							2	3
Never before convicted.....	2	1		1	1	1	3	9

TABLE E — COUNTY OF BRONX

	Aban- donment	Abduction	Abortion	Assault, first degree	Assault, second degree	Bigamy	Burglary, second degree	Burglary, third degree
Number reported.....	378							
Males.....	358							
Females.....	20							
From 15 to 21 years of age.....	1	1		2	5	1	1	26
From 21 to 25 years of age.....	4	1		1	7	1	1	11
From 25 to 30 years of age.....	4				10			9
From 30 to 40 years of age.....	8		1	1	3		1	6
From 40 to 50 years of age.....					1			
From 50 to 60 years of age.....								
Over 60 years of age.....								
Natives of United States.....	10	1		2	19	2	2	38
Natives of Italy.....	1	1		1	7		1	6
Natives of Germany.....	2		1	1				4
Natives of England.....								
Natives of Ireland.....	1							
Other foreign countries.....	3							
Married.....	16	1	1	3	2	2	1	4
Single.....	1	1		1	24		2	13
Can read and write.....	17	2	1	3	25	2	3	39
Can read only.....								52
Cannot read or write.....								
Had religious instruction.....	17	2	1	1	1			
Parents living.....	8	2		4	26	2	3	52
Father living.....	3			1	9	2	1	26
Mother living.....	3				3		2	7
Parents dead.....	3		1		12			6
Unknown.....				3	2			12
Temperate.....	17	2	1	4	26	2	3	1
Intemperate.....								52
Before convicted.....	1		1	2	5		1	43
Never before convicted.....	16	2		2	21	2	2	9
Unknown.....								

TABLE E—COUNTY OF BRONX—(Continued)

	Larceny, first degree	Larceny, second degree	Man- slaughter, first degree	Man- slaughter, second degree	Mis- demeanor	Murder, first degree	Perjury	Rape, second degree
From 15 to 21 years of age.....	.....	15	1	.....	89	1	.....	7
From 21 to 25 years of age.....	.....	13	.....	.....	26	.....	2	5
From 25 to 30 years of age.....	1	6	.....	1	25	.....	.....	1
From 30 to 40 years of age.....	.....	3	1	.....	6	.....	.....	1
From 40 to 50 years of age.....	.....	.....	.....	.....	5	.....	.....	1
From 50 to 60 years of age.....	1	.....	.....	.....	4	.....	.....	.....
Over 60 years of age.....	.....	.....	.....	.....	.....	.....	.....	1
Natives of United States.....	2	19	1	1	69	1	1	12
Natives of Italy.....	.....	3	.....	.....	21	.....	1	.....
Natives of Germany.....	.....	.....	.....	.....	20	.....	.....	2
Natives of England.....	.....	.....	.....	.....	.....	.....	.....	.....
Natives of Ireland.....	.....	3	.....	.....	.....	.....	.....	1
Other foreign countries.....	.....	12	1	.....	45	.....	.....	1
Married.....	2	7	.....	.....	21	.....	1	2
Single.....	.....	30	2	1	134	1	1	14
Can read and write.....	2	36	2	1	154	1	2	14
Can read only.....	.....	.....	.....	.....	.....	.....	.....	.....
Cannot read or write.....	.....	1	.....	.....	1	.....	.....	2
Had religious instruction.....	2	37	2	1	155	1	2	16
Parents living.....	.....	28	1	.....	75	1	2	5
Father living.....	1	.....	.....	1	11	.....	.....	5
Mother living.....	.....	9	.....	.....	49	.....	.....	4
Parents dead.....	1	.....	.....	.....	20	.....	.....	2
Unknown.....	.....	.....	1	.....	.....	.....	.....	.....
Temperate.....	2	37	2	1	155	1	2	16
Intemperate.....	.....	.....	.....	.....	.....	.....	.....	.....
Before convicted.....	1	22	.....	.....	35	.....	1	1
Never before convicted.....	1	15	1	.....	120	.....	1	12
Unknown.....	.....	.....	1	1	.....	1	.....	3

TABLE E — COUNTY OF BROOME

	Abandonment	Abduction	Assault, first degree	Assault, second degree	Bigamy	Blackmail	Burglary, third degree
Number reported ..	103						
Males ..	95						
Females ..	8	1					10
From 15 to 21 years of age...			1				3
From 21 to 25 years of age...			1			1	3
From 25 to 30 years of age...			2	2			1
From 30 to 40 years of age...	1			1			
From 40 to 50 years of age...	1			1			
From 50 to 60 years of age...	1		3	1	1	1	10
Natives of United States ..							1
Natives of Italy ..							
Natives of England ..							
Natives of Canada ..							
Other foreign countries ..	1	1	1	1	1	1	1
Married ..	2	1	2	2	1		4
Single ..	2	1	2	2	1	1	15
	3	1	4	3	1	1	16
action ..							
	1	1		1			7
	1		3	1		1	1
	1		1	1			4
			1		1		3
							1
Unknown ..							
Temperate ..	3	1	2	2	1	1	13
Intemperate ..			2	1			3
Before convicted ..				1			3
Never before convicted ..	3	1	4	2	1	1	8

TABLE E — COUNTY OF BROOME — (Continued)

	Forgery, second degree	Larceny, first degree	Larceny, second degree	Mis- demeanor	Murder, second degree	Rape, second degree	Receiving stolen goods
From 15 to 21 years of age.....	.....3	1	3	3	1	.....	.....
From 21 to 25 years of age.....	.....2	.....1	7	.....	.....	.....	.....
From 25 to 30 years of age.....	.....1	.....	5	.....	.....	1	.....
From 30 to 40 years of age.....	.....	.....	7	.....	.....	.....	1
From 40 to 50 years of age.....	.....	.....	.....	.....	.....	.....	2
From 50 to 60 years of age.....	.....5	2	10	3	1	.....	2
Natives of United States.....	.....	.....	.....	3	.....	.....	4
Natives of Italy.....	.....	.....	.....	.....	.....	.....	.....
Natives of England.....	.....	.....	.....	.....	.....	1	.....
Natives of Canada.....	.....	.....	.....	.....	.....	.....	.....
Other foreign countries.....	1	.....	3	3	.....	.....	1
Married.....	2	.....	2	3	.....	.....	3
Single.....	4	2	20	3	1	.....	2
Can read and write.....	5	2	22	5	1	1	5
Cannot read or write.....	1	.....	.....	1	.....	.....	.....
Had religious instruction.....	6	2	22	6	1	1	3
Never had religious instruction.....	.....	.....	.....	.....	.....	.....	2
Parents living.....	3	2	9	2	.....	.....	.....
Father living.....	1	.....	5	.....	1	.....	1
Mother living.....	1	.....	6	3	.....	.....	2
Parents dead.....	1	.....	2	1	.....	1	2
Unknown.....	.....	.....	.....	.....	.....	.....	.....
Temperate.....	5	1	10	6	.....	1	1
Intemperate.....	1	1	12	.....	.....	.....	4
Before convicted.....	3	1	16	1	.....	.....	2
Never before convicted.....	3	1	6	5	1	1	3

TABLE E—COUNTY OF BROOME—(Continued)

	Robbery, first degree	Violation Health Law	Violation Liquor Tax Law	Violation Article 88, § 970	Violation Article 220, § 2460	Totals
From 16 to 21 years of age	5	..	..	..	..	25
From 21 to 23 years of age	3	..	..	..	1	18
From 23 to 30 years of age	3	..	1	..	..	17
From 30 to 40 years of age	1	..	7	..	..	22
From 40 to 50 years of age	..	1	5	1	..	11
From 50 to 60 years of age	1	..	2	..	..	10
From 60 to 66 years of age	12	1	..	..	..	61
Natives of United States	..	..	4	..	1	11
Natives of Italy	..	..	..	..	..	1
Natives of England	..	..	..	..	..	1
Natives of Canada	..	..	11	1	..	29
Other foreign countries	1	1	12	1	..	34
Married	12	..	3	..	1	69
Single	1	1	12	1	..	32
..	13	..	3	..	1	31
..	..	1	15	1	..	101
..	5	..	6	..	..	2
Father living	1	..	..	..	..	37
Mother living	3	..	2	1	..	11
Parents dead	4	1	8	..	1	26
Unknown	..	..	..	..	..	25
Temperate	5	1	7	1	..	1
Intemperate	8	..	8	..	..	62
Before convicted	6	1	..	1	..	41
Never before convicted	7	1	15	..	1	89
..	..	..	..	..	..	64

TABLE E — COUNTY OF CATTARAUGUS — (Continued)

	Larceny, second degree	Mis- demeanor	Murder, first degree	Robbery, second degree	Violation Liquor Tax Law	Violation Article 88, § 970	Totals
From 15 to 21 years of age.....	1	2	.....	.....	.....	.....	16
From 21 to 25 years of age.....	1	5	.....	.....	1	.....	13
From 25 to 30 years of age.....	.....	2	.....	1	.....	.....	5
From 30 to 40 years of age.....	2	6	1	1	.....	2	22
From 40 to 50 years of age.....	.....	2	.....	.....	1	.....	11
From 50 to 60 years of age.....	1	.....	.....	.....	2	1	7
Unknown.....	1	1	.....	.....	1	.....	4
Natives of United States.....	4	12	.....	2	2	3	49
Natives of Italy.....	.....	5	.....	.....	2	.....	17
Natives of Scotland.....	.....	.....	.....	.....	1	.....	1
Natives of Ireland.....	.....	.....	1	.....	.....	.....	1
Natives of Canada.....	1	.....	.....	.....	.....	.....	1
Other foreign countries.....	.....	.....	.....	.....	.....	.....	5
Unknown.....	1	1	.....	.....	1	.....	4
Married.....	4	8	.....	.....	3	2	37
Single.....	1	9	1	2	2	1	37
Unknown.....	1	1	.....	.....	1	.....	4
Can read and write.....	4	16	1	2	5	3	66
Cannot read or write.....	1	1	.....	.....	.....	.....	8
Unknown.....	1	1	.....	.....	1	.....	4
Had religious instruction.....	5	16	1	2	5	3	78
Never had religious instruction.....	.....	1	.....	.....	.....	.....	1
Unknown.....	1	1	.....	.....	.....	.....	4
Parents living.....	3	8	1	1	1	.....	28
Father living.....	.....	1	.....	.....	.....	.....	4
Mother living.....	.....	4	.....	.....	2	1	19
Parents dead.....	2	4	.....	1	2	2	23
Unknown.....	1	1	.....	.....	1	.....	4
Temperate.....	5	16	.....	2	5	3	64
Intemperate.....	.....	.....	1	.....	.....	.....	9
Unknown.....	1	2	.....	.....	1	.....	5
Before convicted.....	1	17	.....	.....	5	.....	27
Never before convicted.....	4	.....	1	2	.....	3	47
Unknown.....	1	1	.....	.....	1	.....	4

TABLE E — COUNTY OF CAYUGA

	Aban- donment	Abduction	Assault, first degree	Assault, second degree	Burglary, third degree	Carrying concealed weapons	Crime against nature
Number reported.....	34						
Males.....	33						
Females.....	1				6	1	1
From 15 to 21 years of age.....		1			3		1
From 21 to 25 years of age.....				1	3		1
From 25 to 30 years of age.....				2	2	1	
From 30 to 40 years of age.....							
From 40 to 50 years of age.....			1				
Unknown.....	1				2		
Nativity unknown.....	1	1	1	3	16	2	2
Married.....		1	1	1	2	1	1
Single.....				2	12	1	1
Unknown.....	1				2		
Can read and write.....		1		3	11	2	2
Cannot read or write.....			1		3		
Unknown.....	1				2		
Had religious instruction.....		1	1	3	12	2	2
Never had religious instruction.....					2		
Unknown.....	1				2		
Parents living.....		1	1		2	1	
Father living.....					8		1
Mother living.....				3			
Parents dead.....					5	1	1
Unknown.....	1				3		
Temperate.....		1	1	2	11	2	2
Intemperate.....				1			
Unknown.....	1				2		
Before convicted.....			1	1	3		2
Never before convicted.....		1		2	9	2	
Unknown.....	1				2		

TABLE E — COUNTY OF CAYUGA — (Continued)

	Escaping prisoner	Larceny, second degree	Man- slaughter, second degree	Mis- demeanor	Murder second degree	Totals
From 15 to 21 years of age.....	1	1	1	1	1	7
.....	1	1	1	1	1	6
.....	1	1	1	1	1	7
.....	1	1	1	1	1	10
.....	1	1	1	1	1	13
.....	3	1	1	1	1	33
.....	1	1	1	1	1	10
.....	2	1	1	1	1	21
.....	3	1	1	1	1	33
.....	3	1	1	1	1	26
.....	3	1	1	1	1	53
.....	3	1	1	1	1	30
.....	1	1	1	1	1	33
.....	1	1	1	1	1	12
.....	2	1	1	1	1	38
.....	2	1	1	1	1	33
.....	2	1	1	1	1	21
.....	1	1	1	1	1	9
.....	3	1	1	1	1	44
.....	3	1	1	1	1	20
.....	1	1	1	1	1	10
.....	1	1	1	1	1	4

Unknown.....

Before convicted.....

Never before convicted.....

Unknown.....

TABLE E—COUNTY OF CHAUTAUGUA

	Aban- donment	Assault, second degree	Burglary, third degree	Forgery, second degree	Larceny, second degree	Mis- demeanor
23	2	2	1	1	2	1
26	2	1	4	1	1	1
2	2	1	5	1	1	1
Had religious instruction	1	2	3	1	2	1
Parents living	1	3	4	1	4	1
Father living	1	3	4	1	4	1
Mother living	1	3	4	1	4	1
Parents dead	1	3	4	1	4	1
Temperate	1	3	4	1	4	1
Intemperate	1	3	4	1	4	1
Before convicted	1	3	4	1	4	1
Never before convicted	1	3	4	1	4	1

TABLE E — COUNTY OF CHAUTAQUA — (Continued)

	Murder, second degree	Receiving stolen goods	Robbery, second degree	Violation Liquor Tax Law	Totals
From 15 to 21 years of age	.....	.....	.....	.....	3
From 21 to 25 years of age	.....	1	.....	.....	8
From 25 to 30 years of age	.....	1	1	3	12
From 30 to 40 years of age	.....	.....	.....	.....	4
From 40 to 50 years of age	.....	.....	.....	.....	1
From 50 to 60 years of age	.....	.....	1	1	11
.....	.....	.....	.....	.....	2
.....	.....	.....	.....	.....	3
.....	.....	.....	.....	.....	14
.....	1	2	.....	.....	15
.....	1	1	1	3	13
.....	.....	.....	.....	.....	23
.....	1	1	1	1	5
.....	1	1	.....	.....	28
.....	.....	.....	.....	.....	12
.....	.....	.....	.....	.....	2
.....	.....	.....	.....	.....	6
.....	.....	.....	.....	.....	7
.....	1	1	.....	.....	22
.....	1	1	.....	.....	6
.....	.....	.....	.....	.....	11
.....	.....	.....	.....	.....	17
.....	1	2	.....	.....	.....

TABLE E — COUNTY OF CHEMUNG

	Aban- donment	Abortion	Arson, second degree	Assault, second degree	Bigamy	Burglary, third degree	Forgery, second degree	Incest
Number reported.....	57							
Males.....	53							
Females.....	4							
From 15 to 21 years of age.....			1	4		3	3	
From 21 to 25 years of age.....						2	1	
From 25 to 30 years of age.....		1		3	1	2	1	
From 30 to 40 years of age.....	3					4		
From 40 to 50 years of age.....								1
From 50 to 60 years of age.....				1				
From 60 years of age.....	3	1	1	2	1	8	4	1
Natives of United States.....				6				
Natives of Italy.....						3	1	
Other foreign countries.....	3			3	1	4	3	
Married.....				5		7	2	1
Single.....	3	1	1	7	1	10	5	1
Can read and write.....		1		1				
Cannot read or write.....								
Had religious instruction.....	3	1	1	8	1	11	5	1
Parents living.....	1			4	1	2	4	1
Father living.....	1		1					
Mother living.....		1				3		
Parents dead.....	1			3		6	1	
Unknown.....				1				
Temperate.....	3	1	1	6	1	5	2	
Intemperate.....				2		6	3	1
Before convicted.....					1	9	4	
Never before convicted.....	3	1	1	8		2	1	1

TABLE E—COUNTY OF CHEMUNG—(Continued)

Violation Liquor Tax Law	Totals	
.....	12
.....	10
.....	8
.....	3	16
.....	4	9
.....	2
.....	29
.....	11
.....	1
.....	1
.....	5
.....	27
.....	20
.....	54
.....	2
.....	57
.....	20
.....	7
.....	10
.....	2	19
.....	5	1
.....	40
.....	7	17
.....	24
.....	33

TABLE E — COUNTY OF CHENANGO

	Assault, first degree	Assault, second degree	Burglary, third degree	Forgery, second degree	Larceny, second degree	Mis- demeanor
Number reported.....	28					
Males.....	25					
Females.....	3					
From 15 to 21 years of age.....		1	2			1
From 21 to 25 years of age.....			1		1	1
From 25 to 30 years of age.....		1				1
From 30 to 40 years of age.....	1		1	1		2
From 40 to 60 years of age.....			2			
From 60 to 65 years of age.....	1	2	6	1	1	3
Natives of United States.....						1
Natives of Italy.....						2
Married.....	1				1	1
Single.....		2	2			2
Can read and write.....	1	2	4	1		2
Cannot read or write.....			6	1	1	3
Had religious instruction.....	1					1
Parents living.....		2				4
Father living.....	1	1	4			1
Mother living.....					1	1
Parents dead.....				1		2
Temperate.....			2			3
Intemperate.....	1	2	4			1
Before convicted.....	1		2	1	1	2
Never before convicted.....		2	3	1		2

TABLE E — COUNTY OF CHENANGO — (Continued)

	Perjury	Rape, second degree	Receiving stolen goods	Suicide	Violation Liquor Tax Law	Total
From 15 to 21 years of age.....	1	.....	.....	.....	.....	4
From 21 to 25 years of age.....	.....	.....	1	.....	.....	4
From 25 to 30 years of age.....	2	1	.....	.....	.....	5
From 30 to 40 years of age.....	1	2	1	.....	.....	9
From 40 to 50 years of age.....	.....	.....	.....	2	.....	2
From 50 to 60 years of age.....	.....	.....	.....	2	.....	4
From 60 years of age.....	2	4	1	1	4	26
Natives of United States.....	.....	.....	.....	.....	.....	1
Natives of Italy.....	1	.....	.....	.....	.....	1
Natives of Canada.....	2	3	1	.....	4	17
Married.....	1	1	.....	1	.....	11
Single.....	2	4	1	.....	4	26
Can read and write.....	1	.....	.....	.....	.....	2
Cannot read or write.....	3	4	1	1	.....	28
Had religious instruction.....	.....	.....	.....	.....	4	6
Parents living.....	1	2	.....	1	.....	7
Father living.....	1	.....	1	2	.....	7
Mother living.....	1	2	.....	.....	.....	8
Parents dead.....	1	2	.....	.....	2	14
Temperate.....	1	3	1	.....	2	14
Intemperate.....	2	1	.....	1	.....	14
Reform convicted.....	3	1	.....	1	.....	14
Never before convicted.....	.....	3	1	.....	2	14

TABLE E — COUNTY OF CLINTON

	Aban- donment	Assault, second degree	Burglary, third degree	Carrying concealed weapons	Escaping prisoner	Larceny, second degree	Man- slaughter, second degree
Number reported.....	32						
Males.....	28						
Females.....	4						
From 15 to 21 years of age.....		2	1	1		1	1
From 21 to 25 years of age.....		1	1			2	
From 25 to 30 years of age.....	1	1			1	1	
From 30 to 40 years of age.....					1		
Unknown.....							
Natives of United States.....	1	2	2	1	1	4	
Natives of Italy.....							1
Other foreign countries.....		2			1		
Unknown.....							
Married.....	1	1			1		
Single.....		3	2	1	1		1
Unknown.....							
Can read and write.....	1	3	2	1		4	1
Cannot read or write.....		1					
Unknown.....							
Had religious instruction.....	1	4	2	1	2		1
Unknown.....							
Parents living.....		1	2			1	1
Father living.....	1						
Mother living.....					1	1	
Parents dead.....		2		1	1	2	
Unknown.....		1				1	
Temperate.....	1	1	1	1	2	1	1
Intemperate.....		3	1			3	
Unknown.....							
Before convicted.....		1	1		2	1	
Never before convicted.....	1	3	1	1		2	1
Unknown.....						1	

TABLE E — COUNTY OF CLINTON — (Continued)

	Mis- demcanor	Rare, second de- gree	Receiving stolen goods	Violation Liquor Tax law	Violation Article 44, § 492	Totals
From 15 to 21 years of age.....	1	.....	.....	.....	.....	7
From 21 to 25 years of age.....	2	.....	.....	.....	1	7
From 25 to 30 years of age.....	1	1	.....	.....	.....	6
From 30 to 40 years of age.....	.....	.....	2	1	.....	4
From 40 to 50 years of age.....	.....	.....	.....	2	.....	2
Unknown.....	3	.....	.....	2	.....	6
Natives of United States.....	2	1	.....	.....	1	17
Natives of Italy.....	.....	.....	.....	.....	.....	1
Other foreign countries.....	2	.....	2	1	.....	8
Unknown.....	3	.....	.....	2	.....	6
Married.....	2	.....	2	1	.....	11
Single.....	2	1	.....	2	.....	15
Unknown.....	3	.....	.....	2	.....	6
Can read and write.....	4	1	2	3	1	25
Cannot read or write.....	.....	.....	.....	.....	.....	1
Unknown.....	3	.....	.....	2	.....	6
Had religious instruction.....	4	1	2	3	1	26
Unknown.....	3	.....	.....	2	.....	6
Parents living.....	1	1	2	1	1	10
Father living.....	.....	.....	.....	1	.....	3
Mother living.....	.....	.....	.....	1	.....	3
Parents dead.....	3	.....	.....	.....	.....	9
Unknown.....	3	.....	.....	2	.....	7
Temperate.....	2	1	2	2	1	16
Intemperate.....	2	.....	.....	1	.....	10
Unknown.....	3	.....	.....	2	.....	6
Before convicted.....	.....	.....	.....	2	.....	8
Never before convicted.....	4	1	2	1	1	18
Unknown.....	3	.....	.....	2	.....	6

TABLE E — COUNTY OF COLUMBIA

	Assault, second degree	Burglary, third degree	Carrying concealed weapons	Larceny, second degree	Mis- demeanor	Totals
Number reported.....						
Males.....						12
Females.....						11
From 15 to 21 years of age.....		2		2		4
From 21 to 25 years of age.....				2		2
From 25 to 30 years of age.....	1		1			2
From 30 to 40 years of age.....				1		3
From 40 to 50 years of age.....				1		1
From 50 to 60 years of age.....		2		6		10
Natives of United States.....	1				1	2
Natives of Italy.....			1		1	2
Married.....			1			1
Single.....	1	2		1		4
Can read and write.....	1	2	1	5		8
Cannot read or write.....				6	1	11
Had religious instruction.....	1		1		1	3
Parents living.....	1	2	1	6	2	12
Mother living.....		2	1	4		8
Father living.....				1		1
Parents dead.....				1	2	3
Temperate.....	1	2		1		4
Intemperate.....			1	3	1	5
Before convicted.....		2		3	1	6
Never before convicted.....	1		1	1	2	5
Unknown.....				3		3

TABLE E — COUNTY OF CORTLAND

	Aban- donment	Burglary, third degree	Carrying concealed weapons	Escaping prisoner	Larceny, second degree	Mis- demeanor	Robbery, third degree	Violation Highway Law	Totals
Number reported.....	18								5
Males.....	17								6
Females.....	1		1		1	1	1		3
From 21 to 25 years of age.....		4		1					3
From 25 to 30 years of age.....	1	2				1		1	1
From 30 to 40 years of age.....									1
From 40 to 50 years of age.....	1								1
From 50 to 60 years of age.....						1			1
From 60 to 65 years of age.....	3	6			2	2	1		15
Natives of United States.....									2
Natives of Italy.....			1	1					1
Natives of Canada.....									1
Married.....	3	4	1	1	1	1	1		12
Single.....		2			1	2		1	6
Can read and write.....	3	6	1	1	2	3	1	1	18
Had religious instruction.....	3	6	1	1	2	3	1	1	18
Parents living.....	3	4	1		1		1		10
Father living.....						1			1
Mother living.....		1		1					2
Parents dead.....		1			1	2		1	5
Temperate.....	3	6			1	3		1	14
Intemperate.....					1				4
Before convicted.....	1	1	1	1	1		1	1	8
Never before convicted.....	2	5			2	2	1		10

TABLE E — COUNTY OF DELAWARE

	Mis- demeanor	Rape, first degree	Rape, second degree	Violation Liquor Tax Law	Totals
Number reported.....	5				1
Males.....	4				1
Females.....	1				1
From 15 to 21 years of age.....		1			1
From 21 to 25 years of age.....			1		1
From 25 to 30 years of age.....				2	2
From 30 to 35 years of age.....				1	1
From 35 to 40 years of age.....				1	1
From 40 to 50 years of age.....					
Natives of United States.....					
Natives of Italy.....					
Married.....	1				1
Single.....					
Can read and write.....	1	1			2
Cannot read or write.....			1		1
Had religious instruction.....	1				1
Parents living.....		1			1
Mother living.....	1				1
Parents dead.....					
Temperate.....	1				1
Before convicted.....	1				1
Never before convicted.....		1			1

TABLE E — COUNTY OF DUTCHESS

	Arson, third degree	Assault, second degree	Burglary, second degree	Burglary, third degree	Carrying concealed weapons	Forgery, second degree	Larceny, first degree
Number reported.....	79						
Males.....	72						
Females.....	7						
From 15 to 21 years of age.....	1	2	1	3	1	1	1
From 21 to 25 years of age.....				1	1		
From 25 to 30 years of age.....							
From 30 to 40 years of age.....		1		2		1	
From 40 to 50 years of age.....					1	2	
From 50 to 60 years of age.....							1
Natives of United States.....	1	2		6	3	3	1
Natives of Italy.....		1	1				1
Natives of England.....							
Married.....							
Single.....	1	2		1	1	1	
Can read and write.....	1	1	1	4	2	2	1
Had religious instruction.....	1	3	1	3	3	3	1
Unknown.....	1	2	1	7	2	3	1
Parents living.....		1			1		
Father living.....			1	5	2		1
Mother living.....				1			
Parents dead.....					1		
Unknown.....							
Temperate.....		1					
Intemperate.....	1	2	1	6	2	1	1
Before convicted.....	1		1	1	1	1	
Never before convicted.....		3		2		2	1

TABLE E — COUNTY OF DUTCHESS — (Continued)

	Larceny, second degree	Mis- demeanor	Rape, first degree	Rape, second degree	Violation Liquor Tax Law	Totals
From 15 to 21 years of age.....	2	20	.....	.....	.....	29
From 21 to 25 years of age.....	1	2	1	.....	.....	7
From 25 to 30 years of age.....	.....	3	.....	2	.....	6
From 30 to 40 years of age.....	.....	7	.....	.....	2	13
From 40 to 50 years of age.....	.....	13	.....	.....	.....	16
From 50 to 60 years of age.....	.....	3	.....	.....	.....	4
Over 60 years of age.....	.....	2	.....	.....	.....	2
Unknown.....	.....	2	.....	.....	.....	2
Natives of United States.....	3	35	1	2	.....	57
Natives of Italy.....	.....	7	.....	.....	2	11
Natives of England.....	.....	2	.....	.....	.....	3
Other foreign countries.....	.....	6	.....	.....	.....	6
Unknown.....	.....	2	.....	.....	.....	2
Married.....	.....	13	.....	1	.....	24
Single.....	3	37	1	1	.....	53
Unknown.....	.....	2	.....	.....	.....	2
Can read and write.....	3	50	1	2	2	77
Unknown.....	.....	2	.....	.....	.....	2
Had religious instruction.....	3	50	1	2	2	75
Unknown.....	.....	2	.....	.....	.....	4
Parents living.....	.....	19	1	2	.....	34
Father living.....	2	7	.....	.....	.....	11
Mother living.....	1	6	.....	2	.....	11
Parents dead.....	.....	16	.....	.....	.....	18
Unknown.....	.....	4	.....	.....	.....	5
Temperate.....	3	43	.....	2	2	62
Intemperate.....	.....	7	1	.....	.....	15
Unknown.....	.....	2	.....	.....	.....	2
Before convicted.....	2	13	1	.....	.....	27
Never before convicted.....	1	37	.....	2	2	50
Unknown.....	.....	2	.....	.....	.....	2

TABLE E—COUNTY OF ERIE

	Aban- donment	Arson, third degree	Assault, second degree	Bigamy	Burglary, second degree	Burglary, third degree	Carrying concealed weapons	Crime against nature
Number reported.....	445							
Males.....	430							
Females.....	15							
From 15 to 21 years of age.....	2	1	15	1	1	17	3	1
From 21 to 25 years of age.....	4	1	17	2	1	25	4	1
From 25 to 30 years of age.....	15	1	11	1	1	14	1	1
From 30 to 40 years of age.....	2		7			3	1	
From 40 to 50 years of age.....			6					
From 50 to 60 years of age.....								
Over 60 years of age.....								
Natives of United States.....	19	1	27	3	1	45	6	1
Natives of Italy.....			7			4		
Natives of Germany.....			2	1		3		
Natives of Canada.....			2	1		3		
Other foreign countries.....	4	1	18			7	3	1
.....	21	2	16	5		12	3	2
.....	21	1	41	5	1	47	6	2
.....	21	1	53		1	50	8	2
.....	2	1	3				1	
.....	23	2	55	3	1	50	9	2
.....			1					
.....	4	2	27	3	1	27	6	1
.....	2		8			9		
.....	10		7	1		15	1	1
.....	7		14	1		8	2	1
.....	10	2	54	3	1	56	8	1
.....	4		2			3	1	1
.....	14	1	28	1	1	48	4	2
.....	9	1	28	4		11	5	
Parents dead.....								
Temperate.....								
Intemperate.....								
Before convicted.....								
Never before convicted.....								

TABLE E — COUNTY OF ERIE — (Continued)

	Escaping prisoner	Forgery, second degree	Forgery, third degree	Larceny, first degree	Larceny, second degree	Maiming	Man- slaughter, first degree
From 15 to 21 years of age.....	.....	.....	1	4	21	.....	.....
From 21 to 25 years of age.....	.....	1	1	2	5	.....	1
From 25 to 30 years of age.....	.....	.....	1	2	15	.....	1
From 30 to 40 years of age.....	1	1	.....	.....	9	1	.....
From 40 to 50 years of age.....	.....	.....	.....	.....	2	.....	.....
From 50 to 60 years of age.....	.....	.....	.....	.....	.....	.....	1
Natives of United States.....	1	2	2	8	39	.....	1
Natives of Italy.....	.....	.....	.....	.....	3	1	1
Natives of Germany.....	.....	.....	1	.....	.....	.....	1
Natives of Canada.....	.....	.....	.....	.....	2	.....	1
Other foreign countries.....	.....	.....	.....	.....	8	.....	.....
Married.....	1	.....	.....	.....	.....	.....	.....
Single.....	.....	1	1	2	19	1	1
Can read and write.....	1	1	2	6	33	.....	2
Cannot read or write.....	.....	.....	3	8	51	.....	2
Had religious instruction.....	.....	.....	.....	.....	1	1	1
Parents living.....	1	2	3	8	52	1	3
Father living.....	1	1	1	4	25	1	2
Mother living.....	.....	.....	.....	.....	9	.....	.....
Parents dead.....	.....	1	2	.....	11	.....	1
Temperate.....	.....	.....	.....	.....	7	.....	.....
Intemperate.....	1	2	3	6	41	1	3
Before convicted.....	.....	.....	.....	2	11	.....	.....
Never before convicted.....	1	2	1	5	41	.....	1
	.....	.....	2	3	11	1	2

TABLE E — COUNTY OF ERIE — (Continued)

	Man- slaughter, second degree	Mis- demeanor	Murder, second degree	Rape, first degree	Rape, second degree	Receiving stolen goods	Robbery, first degree
From 15 to 21 years of age.....	.....	39	.....	.....	1	3	.....
From 21 to 25 years of age.....	1	26	.....	1	.....	5	4
From 25 to 30 years of age.....	.....	51	1	.....	2	6	2
From 30 to 40 years of age.....	2	39	.....	.....	3	2	1
From 40 to 50 years of age.....	.....	11	.....	.....	.....	.....	.....
From 50 to 60 years of age.....	.....	4	1	.....	.....	.....	.....
Natives of United States.....	.....	115	1	1	4	13	4
Natives of Italy.....	.....	10	.....	.....	.....	1	1
Natives of Germany.....	.....	.....	.....	.....	.....	2	.....
Natives of Canada.....	.....	5	1	.....	.....	.....	.....
Other foreign countries.....	3	40	.....	.....	2	.....	2
Married.....	1	79	2	1	2	5	3
Single.....	2	91	.....	.....	4	11	4
Can read and write.....	3	169	1	1	6	16	7
Cannot read or write.....	.....	1	1	.....	.....	.....	.....
Had religious instruction.....	3	170	2	1	6	16	7
Parents living.....	2	95	.....	1	4	11	4
Father living.....	.....	5	.....	.....	.....	3	2
Mother living.....	.....	35	.....	.....	1	.....	1
Parents dead.....	1	34	2	.....	1	2	.....
Unknown.....	.....	1	.....	.....	.....	.....	.....
Temperate.....	2	161	2	1	6	13	6
Intemperate.....	1	9	.....	.....	.....	3	1
Before convicted.....	2	59	.....	1	1	14	4
Never before convicted.....	1	111	2	.....	5	2	.....

TABLE E — COUNTY OF ERIE — (Continued)

	Robbery, second degree	Robbery, third degree	Suicide	Violation Highway Law	Violation Article 172, § 1894	Violation Article 172, § 1895	Totals
From 15 to 21 years of age.....	.....	1	.....	1	.....	.....	103
From 21 to 25 years of age.....	.....	2	2	.....	.....	.....	101
From 25 to 30 years of age.....	1	.....	.....	1	1	.....	119
From 30 to 40 years of age.....	1	.....	.....	.....	.....	.....	90
From 40 to 50 years of age.....	.....	.....	.....	1	.....	.....	21
From 50 to 60 years of age.....	.....	.....	1	.....	.....	.....	10
Over 60 years of age.....	.....	.....	.....	.....	.....	.....	1
Natives of United States.....	1	2	1	2	1	.....	301
Natives of Italy.....	1	1	.....	.....	.....	1	31
Natives of Germany.....	.....	.....	.....	2	.....	.....	12
Natives of England.....	.....	.....	.....	1	.....	.....	1
Natives of Canada.....	.....	.....	.....	.....	.....	.....	11
Other foreign countries.....	.....	.....	.....	.....	.....	.....	89
Married.....	1	.....	1	2	.....	.....	179
Single.....	1	3	2	1	1	1	266
Can read and write.....	2	2	3	3	1	.....	431
Cannot read or write.....	.....	1	.....	.....	.....	1	14
Had religious instruction.....	2	3	3	3	1	1	444
Never had religious instruction.....	.....	.....	.....	.....	.....	.....	1
Parents living.....	2	2	1	1	1	1	229
Father living.....	.....	1	1	1	.....	.....	42
Mother living.....	.....	.....	1	.....	.....	.....	90
Parents dead.....	.....	.....	.....	1	.....	.....	83
Unl no vn.....	.....	.....	.....	.....	.....	.....	1
Temperate.....	2	3	3	3	1	1	407
Intemperate.....	.....	.....	.....	.....	.....	.....	38
Before convicted.....	2	2	.....	1	1	.....	237
Never before convicted.....	.....	1	3	2	.....	1	208

TABLE E—COUNTY OF FRANKLIN

	Arson, second degree	Assault, first degree	Assault, second degree	Burglary, third degree	Forgery, second degree	Larceny, first degree	Larceny, second degree
Number reported.....	52						
Males.....	46						
Females.....	6						
From 15 to 21 years of age.....			1	5	4	1	3
From 21 to 25 years of age.....			2	2			
From 25 to 30 years of age.....		1		4		1	
From 30 to 40 years of age.....				3			
From 40 to 50 years of age.....	1						1
From 50 to 60 years of age.....			1	14	4	2	1
Nativity unknown.....	1	1	4	5			5
Married.....	1	1	1	9	4	2	2
Single.....			3	13	4		3
Can read and write.....	1	1	4	1		2	5
Cannot read or write.....				14			
Had religious instruction.....	1	1	4	6	4	2	5
Parents living.....		1	2	3	3	1	3
Father living.....				3	1	1	
Mother living.....	1			3			
Parents dead.....				2			2
Temperate.....	1	1	1	12	2	2	3
Intemperate.....			3	2	2		2
Before convicted.....		1	1	6	2	1	
Never before convicted.....	1		3	7	2	1	5
Unknown.....				1			

TABLE E — COUNTY OF FRANKLIN — (Continued)

	Mis- demeanor	Rape, second degree	Robbery, first degree	Violation Highway Law	Violation Liquor Tax Law	Totals
From 15 to 21 years of age.....	.....	.....	2	.....	.....	8
From 21 to 25 years of age.....	1	.....	.....	.....	.....	9
From 25 to 30 years of age.....	.....	.....	.....	.....	1	5
From 30 to 40 years of age.....	4	1	.....	1	.....	12
From 40 to 50 years of age.....	2	.....	.....	2	.....	11
From 50 to 60 years of age.....	.....	.....	.....	.....	2	4
Over 60 years of age.....	.....	.....	.....	.....	1	1
Unknown.....	1	.....	.....	.....	1	2
Nativeity unknown.....	8	1	2	3	.....	52
Married.....	3	.....	1	2	.....	20
Single.....	4	1	1	1	.....	30
Unknown.....	1	.....	.....	.....	1	2
Can read and write.....	7	1	2	3	4	47
Cannot read or write.....	.....	.....	.....	.....	1	2
Unknown.....	1	.....	.....	.....	.....	3
Had religious instruction.....	7	1	2	3	5	49
Unknown.....	1	.....	.....	.....	2	3
Parents living.....	3	.....	1	.....	.....	22
Father living.....	2	.....	1	.....	1	8
Mother living.....	.....	1	.....	.....	1	8
Parents dead.....	2	.....	.....	.....	3	11
Unknown.....	1	.....	.....	.....	2	3
Temperate.....	5	1	2	1	5	36
Intemperate.....	2	.....	.....	2	.....	13
Unknown.....	1	.....	.....	.....	2	3
Before convicted.....	2	.....	.....	2	.....	16
Never before convicted.....	5	1	2	1	5	33
Unknown.....	1	.....	.....	.....	1	3

TABLE E — COUNTY OF FULTON

	Abduction	Assault, second degree	Burglary, third degree	Crime against nature	Larceny, first degree	Larceny, second degree
Number reported.....						
Males.....						
Females.....						
Under 15 years of age.....						
From 15 to 21 years of age.....					1	
From 21 to 25 years of age.....	1			1		
From 25 to 30 years of age.....			2			
From 30 to 40 years of age.....			1			
From 40 to 50 years of age.....		1				
Natives of United States.....			3	1	1	2
Natives of Italy.....		1				
Natives of Canada.....	1					
Married.....		1				
Single.....	1		3	1		1
Can read and write.....	1	1	3	1		1
Had religious instruction.....	1	1	3	1		2
Parents living.....	1			1		1
Father living.....		1				
Mother living.....			3		1	
Parents dead.....						
Temperate.....	1	1	3	1		1
Intemperate.....						1
Before convicted.....		1	2	1		1
Never before convicted.....	1		1		1	

TABLE E — COUNTY OF FULTON — (Continued)

	Man- slaughter, first degree	Mis- demeanor	Murder, second degree	Rape, first degree	Rape, second degree	Totals
Under 15 years of age.....	.....	2	.....	.....	.....	2
From 15 to 21 years of age.....	.....	2	.....	.....	1	4
From 21 to 25 years of age.....	.....	.....	.....	.....	.....	3
From 25 to 30 years of age.....	1	.....	.....	1	.....	4
From 30 to 40 years of age.....	.....	.....	1	.....	.....	1
From 40 to 50 years of age.....	.....	1	1	.....	.....	4
Natives of United States.....	1	4	1	1	.....	14
Natives of Italy.....	.....	1	.....	.....	1	3
Natives of Canada.....	.....	.....	.....	.....	.....	1
Married.....	1	2	1	.....	.....	17
Single.....	.....	3	.....	1	1	11
Can read and write.....	1	5	1	1	1	18
Had religious instruction.....	1	5	1	1	1	18
Parents living.....	.....	3	.....	1	1	8
Father living.....	.....	1	1	.....	.....	3
Mother living.....	1	1	.....	.....	.....	2
Parents dead.....	.....	.....	.....	.....	.....	0
Temperate.....	1	5	.....	.....	.....	15
Intemperate.....	.....	.....	1	1	.....	3
Before convicted.....	.....	1	.....	.....	.....	7
Never before convicted.....	1	4	1	1	1	11

TABLE E—COUNTY OF GENESEE

	Assault, first degree	Burglary, third degree	Forgery, second degree	Larceny, second degree	Man- slaughter, first degree	Mis- demeanor	Receiving stolen goods	Robbery, first degree	Totals
Number reported.....									
Males.....	17								
Females.....	17								
From 15 to 21 years of age.....	0								
From 21 to 25 years of age.....		1		2			1	2	6
From 25 to 30 years of age.....		2		1					3
From 30 to 40 years of age.....	1	1							2
From 40 to 50 years of age.....		2			1	1			4
Over 60 years of age.....									1
Natives of United States.....		1							1
Natives of Italy.....	1	4	1	3			1	2	12
Other foreign countries.....					1	1			2
Married.....		3							3
Single.....	1	1	1						4
Can read and write.....		6		3	1		1	2	13
Cannot read or write.....	1	6	1	2		1	1	2	14
Had religious instruction.....		1		1	1				3
Parents living.....	1	7	1	3	1	1	1	2	17
Father living.....	1		1			1	1	2	6
Mother living.....		3		1					4
Parents dead.....		2							2
Temperate.....	1	4	1	2	1		1	2	13
Intemperate.....		3		1					4
Before convicted.....		5		1					6
Never before convicted.....	1	2	1	2	1	1	1	2	11

TABLE E—COUNTY OF GREENE

	Assault, second degree	Burglary, third degree	Larceny, second degree	Mis- demeanor	Violation Liquor Tax Law	Totals
Number reported.....	8					4
Males.....	8					1
Females.....	0					1
From 15 to 21 years of age.....		3	1			1
From 21 to 25 years of age.....				1		1
From 25 to 30 years of age.....					1	
From 30 to 40 years of age.....						
From 40 to 50 years of age.....	1					1
From 50 to 60 years of age.....	1	3		1		1
Natives of United States.....						
Natives of Italy.....						1
Other foreign countries.....				1		1
Married.....					1	
Single.....	1	3		2		1
Can read and write.....	1	3	1	2		1
Had religious instruction.....	1	3	1	2		1
Parents living.....		3		2		1
Father living.....						
Parents dead.....	1					1
Temperate.....		3				1
Intemperate.....	1			1		1
Before convicted.....						
Never before convicted.....	1	2	1	2	1	1

TABLE E — COUNTY OF HAMILTON

	Assault, second degree	Totals
Number reported.....		
Males.....		1
Females.....		1
From 40 to 50 years of age.....		0
Natives of Ireland.....		1
Single.....		1
Can read and write.....		1
Had religious instruction.....		1
Parents dead.....		1
Intemperate.....		1
Never before convicted.....		1

TABLE E — COUNTY OF HERKIMER

	Aban- donment	Assault, second degree	Burglary, third degree	Carrying concealed weapons	Forgery, second degree	Incest	Larceny, first degree	Larceny, second degree
Number reported.....	70							
Males.....	65							
Females.....	5							
From 15 to 21 years of age.....	1	1	4	1	.....	.....	.....	2
From 21 to 25 years of age.....	4	.....	.....	2	.....	.....	.....	1
From 25 to 30 years of age.....	.....	2	.....	1	.....	.....	1	1
From 30 to 40 years of age.....	.....	.....	1	3	2	1	.....	1
From 40 to 50 years of age.....	.....	.....	.....	.....	.....	.....	.....	.....
From 50 to 60 years of age.....	.....	.....	.....	.....	.....	.....	.....	.....
Over 60 years of age.....	.....	.....	.....	1	.....	.....	.....	.....
Natives of United States.....	3	1	4	.....	1	1	.....	3
Natives of Italy.....	1	1	.....	4	.....	.....	.....	1
Natives of Germany.....	.....	.....	.....	.....	.....	.....	.....	.....
Natives of England.....	.....	.....	.....	.....	.....	.....	.....	.....
Natives of France.....	.....	.....	.....	.....	.....	.....	.....	.....
Natives of Ireland.....	.....	.....	.....	1	.....	.....	.....	.....
Natives of Canada.....	.....	.....	.....	.....	1	.....	.....	.....
Other foreign countries.....	1	1	1	.....	.....	.....	1	1
Married.....	5	3	3	3	.....	.....	.....	.....
Single.....	.....	.....	.....	.....	2	1	.....	3
Can read and write.....	5	2	4	4	2	1	1	5
Cannot read or write.....	.....	1	1	.....	.....	.....	.....	.....
Had religious instruction.....	4	3	5	8	2	1	1	5
Never had religious instruction.....	1	.....	.....	.....	.....	.....	.....	.....
Parents living.....	1	2	2	.....	.....	.....	.....	1
Father living.....	1	.....	1	1	.....	.....	.....	.....
Mother living.....	1	1	2	3	1	.....	1	1
Parents dead.....	2	.....	.....	3	.....	.....	.....	3
Temperate.....	5	3	2	2	.....	.....	.....	3
Intemperate.....	.....	.....	3	.....	1	.....	.....	2
Before convicted.....	4	1	4	3	1	1	1	4
Never before convicted.....	1	2	1	5	1	.....	.....	1

TABLE E — COUNTY OF HERKIMER — (Continued)

	Man- slaughter, second degree	Mis- demeanor	Murder, second degree	Rape, second degree	Robbery, second degree	Violation Liquor Tax Law	Violation Article 88, § 970	Totals
From 15 to 21 years of age.	.....	4	.....	.....	1	.....	.....	13
From 21 to 25 years of age.	.....	4	.....	1	1	.....	.....	10
From 25 to 30 years of age.	.....	2	.....	.....	1	1	.....	13
From 30 to 40 years of age.	1	0	1	.....	.....	3	1	23
From 40 to 50 years of age.	.....	5	.....	.....	.....	2	1	8
From 50 to 60 years of age.	.....	1	.....	.....	.....	1	.....	2
Over 60 years of age.	.....	.....	.....	.....	.....	.....	.....	1
Natives of United States.	.....	16	.....	1	.....	3	2	33
Natives of Italy.	1	5	1	.....	1	1	.....	16
Natives of Germany.	.....	.....	.....	.....	.....	1	.....	1
Natives of England.	.....	1	.....	.....	.....	.....	.....	1
Natives of France.	.....	1	.....	.....	.....	.....	.....	1
Natives of Ireland.	.....	.....	.....	.....	.....	.....	.....	1
Natives of Canada.	.....	.....	.....	.....	.....	.....	.....	1
Other foreign countries.	.....	2	.....	.....	2	2	.....	14
Married.	1	15	1	.....	.....	4	1	36
Single.	.....	10	.....	1	3	3	1	34
Can read and write.	1	22	1	1	.....	0	2	57
Cannot read or write.	.....	3	.....	.....	3	1	.....	13
Had religious instruction.	1	25	1	1	3	7	2	69
Never had religious instruction.	.....	.....	.....	.....	.....	.....	.....	1
Parents living.	1	7	.....	.....	1	3	1	21
Father living.	.....	5	.....	.....	.....	.....	.....	5
Mother living.	.....	4	.....	1	1	1	.....	17
Parents dead.	.....	9	1	.....	1	3	1	24
Temperate.	1	23	1	1	3	6	2	61
Intemperate.	.....	2	.....	.....	.....	.....	.....	9
Before convicted.	.....	6	.....	.....	2	1	1	28
Never before convicted.	1	19	1	1	1	7	1	42

TABLE E — COUNTY OF JEFFERSON

	Aban- donment	Assault, second degree	Bigamy	Burglary, third degree	Carrying concealed weapons	Forgery, second degree	Larceny, first degree	Larceny, second degree	Larceny, petit	Mis- demonor
Number reported.....	83									
Males.....	82									
Females.....	1									
From 15 to 21 years of age.....	3	1	1	6	1	1	1	1		
From 21 to 25 years of age.....	1	1		4		1		4		
From 25 to 30 years of age.....		1		2				1	1	1
From 30 to 40 years of age.....	4	1		5						
From 40 to 50 years of age.....	1	2		2						1
From 50 to 60 years of age.....	1									
From 60 years of age.....	10	5	1	19	1	3	1	6	2	2
Nativity unknown.....	7		1	7		2		2	1	2
Married.....	3	5		12	1	1		4	1	
Single.....	10	4		19	1	3		6	2	
Can read and write.....		1	1							
Cannot read or write.....		3	1	13	1	3		5	2	1
Had religious instruction.....	8	2	1	6				1		1
Never had religious instruction.....	2	2		10		1		1	1	
Parents living.....	3	2								
Father living.....	1							1		
Mother living.....	1	1	1		1			1		2
Parents dead.....	4	2		9				3	1	
Temperate.....	2	4	1	10	1	2		3		2
Intemperate.....	5	1		9		1		3	2	
Before convicted.....	5	2	1	10		2		4		
Never before convicted.....	8	3		9	1	1		2		2

TABLE E—COUNTY OF JEFFERSON — (Continued)

	Murder, second degree	Rape, first degree	Rape, second degree	Receiving stolen goods	Robbery, first degree	Robbery, second degree	Violation Highway Law	Violation Liquor Tax Law	Violation Article 88, § 982	Totals
From 15 to 21 years of age.....	.....	1	2	.....	.....	.....	1	.....	.....	16
From 21 to 25 years of age.....	.....	.....	.....	1	.....	1	.....	.....	.....	10
From 25 to 30 years of age.....	.....	1	.....	1	.....	.....	.....	4	.....	10
From 30 to 40 years of age.....	.....	.....	.....	.....	1	.....	.....	2	.....	17
From 40 to 50 years of age.....	1	1	.....	.....	.....	.....	.....	8	.....	16
From 50 to 60 years of age.....	.....	.....	.....	.....	.....	.....	.....	.....	4	5
(Over 60 years of age.....	.....	.....	1	.....	.....	.....	.....	1	1	3
Nativity unknown.....	1	3	3	2	1	1	2	19	1	83
Married.....	.....	1	.....	.....	.....	.....	1	8	1	33
Single.....	1	2	3	2	1	1	1	11	.....	50
Can read and write.....	1	3	3	2	1	1	2	17	1	79
Cannot read or write.....	.....	.....	.....	.....	.....	.....	.....	2	.....	4
Had religious instruction.....	1	3	2	.....	1	1	2	16	1	65
Never had religious instruction.....	.....	.....	1	2	.....	.....	.....	3	.....	18
Parents living.....	.....	2	1	1	.....	.....	2	.....	.....	25
Father living.....	.....	.....	.....	.....	.....	.....	.....	6	.....	8
Mother living.....	.....	1	.....	.....	.....	1	.....	4	1	20
Parents dead.....	1	.....	2	1	1	.....	.....	9	.....	30
Temperate.....	.....	2	2	.....	.....	1	1	13	1	48
Intemperate.....	1	1	1	2	1	.....	1	6	.....	35
Before convicted.....	.....	1	1	2	1	1	1	17	.....	47
Never before convicted.....	1	2	2	.....	.....	.....	1	2	1	36

TABLE E — COUNTY OF KINGS — (Continued)

	Burglary, second degree	Burglary, third degree	Carrying concealed weapons	Crime against nature	Extortion	Forgery, second degree	Forgery, third degree	Incest	Larceny, first degree
From 15 to 21 years of age.....	.....	43	.....	1	3	.....	1	.....	3
From 21 to 25 years of age.....	.....	45	.....	1	1	.....	1	.....	6
From 25 to 30 years of age.....	2	31	3	3	3	.....	6	.....	4
From 30 to 40 years of age.....	1	21	3	3	2	.....	1	.....	4
From 40 to 50 years of age.....	2	9	.....	1	1	.....	.....	.....	2
From 50 to 60 years of age.....	.....	3	.....	.....	.....	.....	.....	.....	.....
Over 60 years of age.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Natives of United States.....	3	116	.....	.....	.....	.....	.....	.....	.....
Natives of Italy.....	.....	11	4	5	3	.....	9	1	13
Natives of Germany.....	1	5	.....	.....	2	.....	.....	.....	1
Natives of England.....	1	.....	.....	.....	.....	.....	.....	.....	.....
Natives of Canada.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Other foreign countries.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Married.....	.....	20	1	3	1	.....	.....	.....	5
Single.....	3	65	5	3	4	.....	1	.....	10
Can read and write.....	2	87	5	7	5	.....	8	.....	9
Cannot read or write.....	4	152	8	8	8	.....	9	.....	17
Had religious instruction.....	1	.....	2	2	2	.....	.....	.....	2
Parents living.....	5	152	10	10	10	.....	9	.....	19
Father living.....	2	68	1	2	6	.....	3	.....	8
Mother living.....	.....	11	1	1	1	.....	5	.....	1
Parents dead.....	1	20	3	3	2	.....	.....	.....	8
Unknown.....	2	52	5	4	1	.....	1	.....	2
Temperate.....	.....	1	.....	.....	.....	.....	.....	.....	.....
Intemperate.....	4	137	10	10	10	.....	9	.....	19
Before convicted.....	1	15	.....	.....	.....	.....	.....	.....	.....
Never before convicted.....	5	95	7	2	4	.....	6	.....	6
	.....	57	3	8	6	.....	3	.....	13

TABLE E — COUNTY OF LEWIS

	Aban- donment	Burglary, third degree	Forgery, second degree	Larceny, second degree	Mis- demcanor	Totals
Number reported.....	15					
Males.....	10					
Females.....	5	3			1	4
From 15 to 21 years of age.....					1	1
From 21 to 25 years of age.....				1		1
From 25 to 30 years of age.....				2		2
From 30 to 40 years of age.....	1				1	4
From 40 to 50 years of age.....		1	1			4
Natives of United States.....	1	4	1	3	5	11
Natives of Canada.....						1
Married.....	1			3	1	6
Single.....		4	1		2	9
Can read and write.....	1	4	1	3		15
Had religious instruction.....	1	4	1	3		15
Parents living.....		2		1		4
Father living.....					2	2
Mother living.....	1	1				3
Parents dead.....		3	1	2		7
Temperate.....		1				1
Intemperate.....	1					1
Unknown.....		2	1			3
Before convicted.....		2				2
Never before convicted.....	1	2				3
					5	10

TABLE E — COUNTY OF LIVINGSTON

	Arson, second degree	Assault, first degree	Assault, second degree	Burglary, third degree	Larceny, first degree	Larceny, second degree	Mis- demeanor	Violation Liquor Tax Law	Totals
Number reported.....	24								
Males.....	22								4
Females.....	2								7
From 15 to 21 years of age.....				3		1		2	6
From 21 to 25 years of age.....					1	2	2	1	5
From 25 to 30 years of age.....			2				3		2
From 30 to 40 years of age.....	1	1					1		2
From 40 to 50 years of age.....									2
From 50 years of age.....			2	2	1	2	0	5	18
Natives of United States.....									3
Natives of Italy.....		1							2
Natives of Germany.....	1					1			3
Natives of England.....				1					1
Married.....	1	1							10
Single.....				3		2	3	3	14
Can read and write.....	1		2	3	1	1		4	21
Cannot read or write.....		1	1			3	6	1	2
Unknown.....									1
Had religious instruction.....	1	1	1	3		3	0	7	24
Parents living.....		1	2	3		2	3	2	11
Mother living.....	1				1		1	4	7
Parents dead.....			2				2	1	0
Temperate.....		1		3		1	0	5	17
Intemperate.....	1		2		1	2		2	7
Before convicted.....			1	1		1		2	7
Never before convicted.....	1	1	1	2	1	2	4	5	17

TABLE E — COUNTY OF MADISON

	Assault, first degree	Assault, second degree	Forgery, second degree	Man- slaughter, second degree	Mis- demeanor	Rape, first- degree	Violation Liquor Tax Law	Totals
Number reported.....								
Males.....	16							16
Females.....	16							16
From 16 to 21 years of age.....					1			1
From 21 to 25 years of age.....					1			1
From 26 to 30 years of age.....			1		1			2
From 30 to 40 years of age.....	1	1		1		1	3	4
From 40 to 50 years of age.....								
From 50 to 60 years of age.....					1			1
From 60 to 80 years of age.....					3	1	6	13
Natives of United States.....		1		1				2
Natives of Italy.....	1							1
Natives of Ireland.....								
Married.....	1			1				2
Single.....		1	1			1		3
Can read and write.....	1	1	1			1		4
Had religious instruction.....	1	1	1			1		4
Parents living.....								
Father living.....		1						1
Mother living.....	1							1
Parents dead.....								
Temperate.....	1	1						2
Intemperate.....								
Before convicted.....			1					1
Never before convicted.....	1	1			4	1	7	14

TABLE E — COUNTY OF MONROE

	Aban- donment	Arson, third degree	Assault, first degree	Assault, second degree	Bigamy	Burglary, second degree	Burglary, third degree	Carrying concealed weapons
Number reported.....	133							
Males.....	132							
Females.....	1							
From 15 to 21 years of age.....		1		2			13	2
From 21 to 25 years of age.....	1	1	1	1		1	8	2
From 25 to 30 years of age.....							9	
From 30 to 40 years of age.....	3			2	1		5	
From 40 to 50 years of age.....				1				
From 50 to 60 years of age.....	2	2	1	4				
Natives of United States.....	2			5	1		28	1
Natives of foreign countries.....	3	2	1	5	1	1	7	3
Married.....	1			6			10	1
Single.....	4	2	1	4	1	1	25	3
Can read and write.....				8			35	4
Cannot read or write.....		2	1	2	1	1		
Had religious instruction.....	4	2	1	10	1	1		4
Parents living.....	3	1					25	4
Father living.....	1			2			19	3
Mother living.....		1	1	3			6	
Parents dead.....				5	1	1	4	
Unknown.....							5	1
Temperate.....	4		1	8	1	1	1	
Intemperate.....				2			31	4
Before convicted.....	3	2	1	2	1	1	4	
Never before convicted.....	1	2		8			18	4
							17	

TABLE E — COUNTY OF MONROE — (Continued)

	Escaping prisoner	Forgery, second degree	Loosest	Larceny, first degree	Larceny, second degree	Man- slaughter, second degree	Mis- demeanor	Rape, first degree
From 16 to 21 years of age...	..	..	..	4	3	..	..	1
From 21 to 25 years of age...	..	..	..	1	..	..	7	..
From 25 to 30 years of age...	..	..	1	2	5	..	3	1
From 30 to 40 years of age...	1	1	..	3	6	1	6	..
From 40 to 50 years of age...	..	..	..	1	2	..	..	..
From 50 to 60 years of age...	..	..	..	..	..	..	2	..
Over 60 years of age...	..	..	..	..	1	..	..	..
Unknown...	..	1	1	8	13	1	..	2
rice.	1	1	..	3	5	1	7	..
..	1	1	..	2	6	..	11	2
..	..	..	1	9	12	..	6	..
..	1	1	1	10	18	1	12	..
..	..	..	..	1	..	..	18	3
..	1	1	1	11	18	1	..	3
..	..	..	..	6	8	..	5	1
..	1	..	1	..	2	1	3	..
..	..	1	..	3	3	..	6	1
..	1	1	1	2	5	..	4	..
..	..	1	..	2	16	1	18	2
..	1	..	..	5	2	..	..	..
..	1	1	1	6	8	1	7	1
..	..	..	..	..	10	..	11	1

TABLE E — COUNTY OF MONTGOMERY

	Aban- donment	Assault, first degree	Assault, second degree	Bigamy	Burglary, third degree	Forgery, second degree
Number reported.....						
Males.....						
30						
Females.....						
29						
1						
From 15 to 21 years of age.....		1	1		8	
From 21 to 25 years of age.....		1	2		8	
From 25 to 30 years of age.....	1		1		1	
From 30 to 40 years of age.....	2			1		1
From 40 to 50 years of age.....			3			
Natives of United States.....	3			1		1
Natives of Italy.....		2	7			
Other foreign countries.....						
Married.....	3		4	1	1	
Single.....		2	3		4	
Can read and write.....	3	2	4	1	7	1
Cannot read or write.....			3			
Had religious instruction.....	2	2	7	1		1
Never had religious instruction.....	1					
Parents living.....	1	2	3	1	4	1
Father living.....	1		2		1	
Mother living.....	1		2			
Parents dead.....			1			
Temperate.....	3	2	7		3	1
Intemperate.....					4	
Before convicted.....			3	1	1	
Never before convicted.....	8	2	4	1	6	1

TABLE E — COUNTY OF MONTGOMERY — (Continued)

	Larceny, second degree	Rape, second degree	Receiving stolen goods	Violation Liquor Tax Law	Violation Article 88, § 970	Totals
From 15 to 21 years of age.....	.....	.....	.....	.....	.....	5
From 21 to 25 years of age.....	1	1	.....	.....	.....	8
From 25 to 30 years of age.....	2	.....	1	.....	.....	6
From 30 to 40 years of age.....	.....	.....	.....	1	.....	5
From 40 to 50 years of age.....	.....	.....	.....	.....	1	4
From 50 to 60 years of age.....	.....	.....	.....	1	1	2
Natives of United States.....	2	1	1	1	2	18
Natives of Italy.....	1	.....	.....	1	.....	11
Other foreign countries.....	.....	.....	.....	.....	.....	1
Married.....	1	.....	1	2	.....	17
Single.....	2	1	.....	.....	1	13
Can read and write.....	3	1	1	1	2	26
Cannot read or write.....	.....	.....	.....	1	.....	4
Had religious instruction.....	3	1	1	2	1	28
Never had religious instruction.....	.....	.....	.....	.....	1	2
Parents living.....	2	1	1	1	.....	17
Father living.....	.....	.....	.....	.....	.....	4
Mother living.....	.....	.....	.....	.....	1	4
Parents dead.....	1	.....	.....	1	1	5
Temperate.....	3	.....	1	2	2	24
Intemperate.....	.....	1	.....	.....	.....	6
Before convicted.....	.....	1	.....	.....	.....	5
Never before convicted.....	3	.....	1	2	2	25

TABLE E — COUNTY OF NASSAU

	Aben- donment	Abduction	Assault, second degree	Bigamy	Bribery	Burglary, second degree	Burglary, third degree
Number reported.....	101						
Males.....	94						
Females.....	7	1	1				5
From 15 to 21 years of age.....			2				2
From 21 to 25 years of age.....			2				
From 25 to 30 years of age.....	1		1	1		1	
From 30 to 40 years of age.....			1		1		
From 40 to 50 years of age.....	1	1	3		1	1	7
Natives of United States.....			3				
Natives of Italy.....			1	1			
Other foreign countries.....	1		3	1			
Married.....			4				1
Single.....	1	1	5	1	1	1	6
Can read and write.....		1	2		1	1	7
Cannot read or write.....	1		7				
Had religious instruction.....		1	2	1	1	1	7
Parents living.....		1	2	1			4
Father living.....			1			1	3
Mother living.....			2				
Parents dead.....	1		2				
Unknown.....							
Temperate.....	1	1	7	1	1		7
Before convicted.....	1	1	5			1	3
Never before convicted.....	1		2	1	1		4

TABLE E — COUNTY OF NASSAU — (Continued)

	Carrying concealed weapons	Forgery, second degree	Larceny, first degree	Larceny, second degree	Mis- demeanor	Perjury	Rape, first degree
From 16 to 21 years of age.....	.....	.....	.....	8	3	.....	3
From 21 to 25 years of age.....	1	1	1	5	7	.....	2
From 25 to 30 years of age.....	.....	.....	1	.....	11	.....	.....
From 30 to 40 years of age.....	.....	.....	.....	.....	5	1	.....
From 40 to 50 years of age.....	.....	.....	.....	3	8	.....	1
Natives of United States.....	.....	1	1	17	17	1	6
Natives of Italy.....	.....	.....	.....	3	7	.....	.....
Natives of Germany.....	.....	.....	1	.....	3	.....	.....
Other foreign countries.....	1	.....	.....	.....	7	.....	.....
Married.....	.....	.....	.....	2	.....	.....	.....
Single.....	1	.....	1	2	19	1	1
Can read and write.....	.....	1	1	14	15	.....	5
Cannot read or write.....	1	.....	2	15	33	1	6
Had religious instruction.....	1	.....	.....	1	1	.....	.....
Parents living.....	.....	1	.....	16	34	1	6
Father living.....	.....	.....	.....	3	17	.....	4
Mother living.....	.....	.....	.....	5	3	.....	.....
Parents dead.....	1	.....	2	4	8	.....	.....
Temperate.....	1	.....	.....	4	6	1	3
Before convicted.....	.....	1	1	16	34	1	6
Never before convicted.....	1	.....	1	7	7	.....	.....
				9	27		6

TABLE E — COUNTY OF NASSAU — (Continued)

	Rape, second degree	Violation Highway Law	Violation Liquor Tax Law	Violation Article 88, § 973	Violation Article 88, § 982	Violation Article 220, § 2460	Totals
From 15 to 21 years of age.....	.....	.....	.....	.....	.....	.....	21
From 21 to 25 years of age.....	1	.....	.....	1	.....	.....	23
From 25 to 30 years of age.....	.....	1	1	.....	.....	.....	16
From 30 to 40 years of age.....	.....	.....	3	1	3	.....	17
From 40 to 50 years of age.....	.....	.....	8	.....	.....	1	23
From 50 to 60 years of age.....	.....	1	1	.....	.....	.....	16
From 60 to 65 years of age.....	.....	1	2	2	.....	.....	53
Natives of United States.....	1	.....	.....	.....	.....	1	19
Natives of Italy.....	.....	.....	6	.....	.....	.....	6
Natives of Germany.....	.....	.....	2	.....	.....	.....	1
Natives of Ireland.....	.....	.....	1	.....	.....	.....	17
Other foreign countries.....	.....	.....	2	.....	3	.....	47
Married.....	1	.....	11	1	3	.....	54
Single.....	.....	.....	2	.....	.....	1	94
Can read and write.....	1	.....	11	2	.....	1	7
Cannot read or write.....	.....	1	13	2	3	.....	101
Had religious instruction.....	1	.....	3	2	.....	.....	39
Parents living.....	.....	1	.....	2	.....	.....	13
Father living.....	.....	.....	.....	.....	.....	1	23
Mother living.....	.....	.....	3	.....	3	.....	25
Parents dead.....	1	.....	7	.....	.....	.....	1
Unknown.....	.....	.....	.....	.....	.....	.....	100
Temperate.....	1	1	12	2	3	1	1
Intemperate.....	.....	.....	1	.....	.....	.....	1
Before convicted.....	.....	.....	2	.....	.....	1	29
Never before convicted.....	1	1	11	2	3	.....	72

TABLE E—COUNTY OF LIVINGSTON

	Arson, second degree	Assault, first degree	Assault, second degree	Burglary, third degree	Larceny, first degree	Larceny, second degree	Mis- demeanor	Violation Liquor Tax Law	Totals
Number reported.....	24								4
Males.....	22								7
Females.....	2			3		1	2	2	6
From 15 to 21 years of age.....					1	2	3	1	5
From 21 to 25 years of age.....			2				1	2	2
From 25 to 30 years of age.....	1								2
From 30 to 40 years of age.....									2
From 40 to 50 years of age.....			2	2	1		6	5	18
Natives of United States.....								2	3
Natives of Italy.....	1					1			2
Natives of Germany.....				1					1
Natives of England.....							3	3	10
Married.....	1	1		3		1	3	4	14
Single.....	1		2	3		3	6	6	21
Can read and write.....			1					1	2
Cannot read or write.....									1
Unknown.....			1						1
Had religious instruction.....	1	1	2	3	1	3	6	7	24
Parents living.....		1		3		2	3	2	11
Mother living.....	1				1		1	4	7
Parents dead.....			2				2	1	0
Temperate.....		1		3		2	6	5	17
Intemperate.....	1		2		1	1		2	7
Before convicted.....			1	1		1	2	2	7
Never before convicted.....	1	1	1	2		2	4	5	17

TABLE E—COUNTY OF MADISON

	Assault, first degree	Assault, second degree	Forgery, second degree	Man- slaughter, second degree	Mis- deemeanor	Rape, first degree	Violation Liquor Tax Law	Totals
Number reported.....	16							16
Males.....	15							15
Females.....	0							0
From 15 to 21 years of age.....					1			1
From 21 to 25 years of age.....					1			1
From 25 to 30 years of age.....			1		1			2
From 30 to 40 years of age.....	1	1		1		1	3	7
From 40 to 50 years of age.....							4	4
From 50 to 60 years of age.....								1
Natives of United States.....		1		1			6	13
Natives of Italy.....	1						1	2
Natives of Ireland.....								1
Married.....	1			1				2
Single.....		1	1					2
Can read and write.....	1	1	1					3
Had religious instruction.....	1	1	1					3
Parents living.....								7
Father living.....		1		1				2
Mother living.....	1							1
Parents dead.....							3	3
Temperate.....	1	1						2
Intemperate.....			1					1
Before convicted.....			1					1
Never before convicted.....	1	1			4		7	14

TABLE E — COUNTY OF MONROE

	Aban- donment	Arson, third degree	Assault, first degree	Assault, second degree	Bigamy	Burglary, second degree	Burglary, third degree	Carrying concealed weapons
Number reported.....	133							
Males.....	132						13	2
Females.....	1						8	2
From 15 to 21 years of age.....		1		2			9	
From 21 to 25 years of age.....	1	1	1	1		1	5	
From 25 to 30 years of age.....				2				
From 30 to 40 years of age.....	3			1	1			
From 40 to 50 years of age.....				4				
From 50 to 60 years of age.....		2	1	5				
Natives of United States.....	2	2	1	5	1		28	1
Natives of foreign countries.....	2	2	1	6	1		7	3
Married.....	3			4			10	1
Single.....	1	2	1	8	1		25	3
Can read and write.....	4	2	1	2		1	35	4
Cannot read or write.....		1		10	1			
Had religious instruction.....	3						35	4
Parents living.....	1	1					19	3
Father living.....		1		2			6	
Mother living.....			1	3			4	
Parents dead.....				5	1	1	5	1
Unknown.....							1	
Temperate.....	4		1	8	1		31	4
Intemperate.....		2		2			4	
Before convicted.....	3	2	1	2	1		18	4
Never before convicted.....	1	2		8			17	

TABLE E — COUNTY OF MONROE — (Continued)

	Escaping prisoner	Forgery, second degree	Incest	Larceny, first degree	Larceny, second degree	Man- slaughter, second degree	Mis- demeanor	Rape, first degree
From 15 to 21 years of age.....	.....	.....	.....	4	3	.....	.....	1
From 21 to 25 years of age.....	.....	.....	.....	1	.....	.....	7	.....
From 25 to 30 years of age.....	.....	.....	1	2	5	.....	3	1
From 30 to 40 years of age.....	1	1	.....	3	6	1	6	.....
From 40 to 50 years of age.....	.....	.....	.....	1	2	.....	.....	.....
From 50 to 60 years of age.....	.....	.....	.....	.....	.....	.....	2	.....
Over 60 years of age.....	.....	.....	.....	.....	1	.....	.....	.....
Unknown.....	.....	.....	.....	.....	1	.....	.....	.....
Natives of United States.....	.....	1	1	8	13	1	7	2
Natives of foreign countries.....	1	.....	.....	3	5	.....	11	.....
Married.....	1	1	.....	2	6	.....	6	2
Single.....	.....	.....	1	9	12	1	12	.....
Can read and write.....	1	1	1	10	18	1	18	2
Cannot read or write.....	.....	.....	.....	1	.....	.....	.....	.....
Had religious instruction.....	1	1	1	11	18	1	18	2
Parents living.....	.....	.....	.....	6	8	.....	5	1
Father living.....	.....	.....	.....	.....	2	1	3	.....
Mother living.....	1	.....	1	3	3	.....	6	1
Parents dead.....	.....	1	.....	2	5	.....	4	.....
Temperate.....	.....	1	1	9	16	1	18	2
Intemperate.....	1	.....	.....	2	2	.....	.....	.....
Before convicted.....	.....	.....	.....	5	8	1	7	1
Never before convicted.....	1	1	1	6	10	.....	11	1

TABLE E—COUNTY OF MONTGOMERY

	Aban- donment					Burglary, third degree	Forgery, second degree
Number reported.							
Male	30					3	
Female	29					5	
From 15 to 21 years of age.	1					1	
From 21 to 25 years of age.						1	
From 25 to 30 years of age.						1	
From 30 to 40 years of age.						1	
From 40 to 50 years of age.						1	
Natives of United States.						1	
Natives of Italy.						1	
Other foreign countries.						1	
Married						1	
Single.						1	
Can read and write.						1	
Cannot read or write.						1	
Had religious instruction.						1	
Never had religious instruction.						1	
Parents living.						1	
Father living.						1	
Mother living.						1	
Parents dead.						1	
Temperate.						1	
Intemperate.						1	
Before convicted.						1	
Never before convicted.						1	

TABLE E — COUNTY OF NASSAU

	Aban- donment	Abduction	Assault, second degree	Bigamy	Bribery	Burglary, second degree	Burglary, third degree
Number reported.....	101						
Males.....	94						
Females.....	7	1	1				5
From 15 to 21 years of age.....			2				2
From 21 to 25 years of age.....			2				
From 25 to 30 years of age.....			1	1		1	
From 30 to 40 years of age.....	1		1				
From 40 to 50 years of age.....			3		1		
Natives of United States.....	1	1	3		1	1	7
Natives of Italy.....			3				
Other foreign countries.....			1	1			
Married.....	1		3				1
Single.....			4		1	1	6
Can read and write.....	1	1	5	1	1	1	7
Cannot read or write.....			2				
Had religious instruction.....	1	1	7	1	1	1	7
Parents living.....			2	1			4
Father living.....			1	1		1	3
Mother living.....			2				
Parents dead.....	1		2				
Unknown.....							
Temperate.....	1	1	7	1	1		7
Before convicted.....		1	5			1	3
Never before convicted.....	1		2	1	1		4

TABLE E — COUNTY OF NASSAU — (Continued)

	Carrying concealed weapons	Forgery, second degree	Larceny, first degree	Larceny, second degree	Mis- demeanor	Perjury	Rape, first degree
From 16 to 21 years of age.....	.....	.....	.....	8	3	.....	3
From 21 to 25 years of age.....	1	1	1	5	7	.....	2
From 25 to 30 years of age.....	.....	.....	1	.....	11	.....	.....
From 30 to 40 years of age.....	.....	.....	.....	.....	5	1	.....
From 40 to 50 years of age.....	.....	.....	.....	3	8	.....	1
Natives of United States.....	.....	1	1	17	17	1	6
Natives of Italy.....	.....	.....	.....	3	7	.....	.....
Natives of Germany.....	.....	.....	1	.....	3	.....	.....
Other foreign countries.....	1	.....	.....	.....	7	.....	.....
Married.....	.....	.....	.....	2	.....	.....	.....
Single.....	1	1	1	2	19	1	1
Can read and write.....	.....	1	1	14	15	.....	5
Cannot read or write.....	1	1	2	15	33	1	6
Had religious instruction.....	1	.....	.....	1	1	.....	.....
Parents living.....	.....	1	2	16	34	1	6
Father living.....	.....	1	.....	3	17	.....	4
Mother living.....	.....	.....	.....	5	3	.....	.....
Parents dead.....	1	.....	2	4	8	.....	.....
Temperate.....	1	.....	.....	4	6	1	2
Before convicted.....	.....	1	2	16	34	1	6
Never before convicted.....	1	1	1	7	7	.....	.....
	.....	.....	.....	9	27	.....	6

TABLE E — COUNTY OF NASSAU — (Continued)

	Rape, second degree	Violation Highway Law	Violation Liquor Tax Law	Violation Article 88, § 973	Violation Article 88, § 982	Violation Article 220, § 2460	Totals
From 15 to 21 years of age.....	.....	.....	.....	.....	.....	.....	21
From 21 to 25 years of age.....	1	.....	.....	1	.....	.....	23
From 25 to 30 years of age.....	.....	1	1	.....	.....	.....	16
From 30 to 40 years of age.....	.....	.....	3	1	3	.....	17
From 40 to 50 years of age.....	.....	.....	8	.....	.....	1	23
From 50 to 60 years of age.....	.....	.....	1	.....	.....	.....	16
From 60 to 69 years of age.....	.....	1	2	2	.....	1	58
Natives of United States.....	1	1	6	.....	.....	.....	19
Natives of Italy.....	.....	.....	2	.....	.....	.....	6
Natives of Germany.....	.....	.....	1	.....	.....	.....	1
Natives of Ireland.....	.....	.....	2	.....	.....	.....	17
Other foreign countries.....	.....	.....	11	1	3	.....	47
Married.....	1	1	2	.....	3	.....	64
Singles.....	.....	.....	11	1	.....	1	94
Can read and write.....	1	1	2	2	3	.....	7
Cannot read or write.....	.....	.....	11	.....	.....	.....	101
Had religious instruction.....	1	1	13	2	3	1	39
Parents living.....	.....	1	3	2	.....	.....	13
Father living.....	.....	1	.....	.....	.....	.....	23
Mother living.....	.....	.....	3	.....	3	1	25
Parents dead.....	1	.....	7	.....	.....	.....	1
Unknown.....	.....	.....	.....	.....	.....	.....	100
Temperate.....	1	1	12	2	3	1	1
Intemperate.....	.....	.....	1	.....	.....	.....	1
Before convicted.....	.....	.....	2	.....	.....	1	29
Never before convicted.....	1	1	11	2	3	.....	72

TABLE E—COUNTY OF NEW YORK

	Aban- donment	Abduction	Abortion	Arson, first degree	Arson, second degree	Arson, third degree	Assault, first degree	Assault, second degree	Bigamy
Number reported.....	2,823								
Males.....	2,689								
Females.....	134								
From 15 to 21 years of age.....		4	.....	.....	.....	1	.....	81	.....
From 21 to 25 years of age.....		6	.....	1	.....	.....	2	36	.....
From 25 to 30 years of age.....	6	2	1	.....	1	1	.....	42	5
From 30 to 40 years of age.....	13	.....	.....	1	.....	.....	4	45	15
From 40 to 50 years of age.....	5	.....	3	.....	.....	.....	.....	15	3
From 50 to 60 years of age.....	.....	.....	.....	.....	.....	.....	.....	3	1
Over 60 years of age.....	.....	.....	1	.....	.....	.....	.....	.....	.....
Natives of United States.....	10	4	1	.....	.....	1	8	138	11
Natives of Italy.....	6	8	2	.....	1	.....	.....	30	.....
Natives of Germany.....	2	.....	1	.....	.....	.....	.....	.....	3
Natives of England.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Other foreign countries.....	6	.....	1	2	.....	.....	.....	51	9
Married.....	24	2	.....	2	1	.....	3	63	24
Single.....	.....	10	3	.....	.....	1	5	159	.....
Can read and write.....	24	12	2	2	1	1	8	207	24
Cannot read or write.....	.....	.....	.....	.....	.....	.....	.....	15	.....
Had religious instruction.....	24	12	5	2	1	1	8	222	24
Parents living.....	10	8	2	.....	1	1	1	105	2
Father living.....	2	.....	.....	.....	.....	.....	1	30	3
Mother living.....	2	2	.....	2	.....	.....	3	39	11
Parents dead.....	10	2	3	.....	.....	.....	3	39	8
Temperate.....	24	12	5	2	1	1	8	222	24
Before convicted.....	7	6	1	1	.....	.....	2	69	5
Never before convicted.....	17	6	4	1	1	1	6	153	10

TABLE E — COUNTY OF NEW YORK — (Continued)

	Forgery, third degree	Incest	Kid- naping	Larceny, first degree	Larceny, second degree	Man- slaughter, first degree	Man- slaughter, second degree	Mis- demeanor
From 15 to 21 years of age.....	4	.....	.....	21	169	6	1	426
From 21 to 25 years of age.....	4	.....	.....	31	107	6	1	185
From 25 to 30 years of age.....	4	.....	.....	21	81	2	2	226
From 30 to 40 years of age.....	2	1	3	9	105	4	2	260
From 40 to 50 years of age.....	2	.....	.....	9	5	2	.....	95
From 50 to 60 years of age.....	2	.....	.....	3	12	1	1	25
From 60 to 65 years of age.....	10	.....	.....	57	349	12	4	810
Natives of United States.....	1	.....	.....	3	33	3	.....	85
Natives of Italy.....	1	.....	3	18	4	1	.....	40
Natives of Germany.....	.....	.....	.....	4	1	.....	.....	15
Natives of England.....	.....	.....	.....	.....	.....	.....	1	10
Natives of Scotland.....	.....	.....	.....	.....	.....	.....	.....	.....
Natives of France.....	.....	.....	.....	.....	.....	.....	.....	.....
Natives of Ireland.....	.....	.....	.....	.....	.....	1	.....	.....
Natives of Canada.....	.....	.....	.....	2	8	.....	.....	40
Other foreign countries.....	6	.....	.....	.....	.....	1	.....	.....
Married.....	9	1	.....	10	84	3	2	216
Single.....	9	1	3	35	161	4	1	351
Can read and write.....	18	.....	.....	59	318	17	6	835
Cannot read or write.....	.....	1	.....	93	476	19	6	1,161
Had religious instruction.....	18	.....	.....	1	3	2	1	55
Parents living.....	10	.....	3	94	479	21	7	1,215
Father living.....	.....	.....	.....	52	287	8	3	615
Mother living.....	5	.....	.....	3	25	1	.....	166
Parents dead.....	3	.....	.....	18	115	6	2	230
Temperate.....	18	1	.....	21	52	6	2	205
Before convicted.....	2	.....	3	94	479	21	7	1,216
Never before convicted.....	16	1	.....	42	181	5	2	430
			3	52	298	16	5	786

TABLE E — COUNTY OF NEW YORK — (Continued)

	Robbery, third degree	Seduction	Violation Election Law	Violation Health Law	Violation Highway Law	Violation Article 38, § 408	Violation Article 86, § 934	Violation Article 88, § 970
From 15 to 21 years of age.....	7	1	.....	.....	1	2	.....	.....
From 21 to 25 years of age.....	9	2	.....	.....	2	2	.....	.....
From 25 to 30 years of age.....	4	2	.....	.....	.....	2	.....	1
From 30 to 40 years of age.....	5	.....	.....	1	2	3	1	2
From 40 to 50 years of age.....	.....	.....	.....	.....	.....	.....	.....	2
From 50 to 60 years of age.....	.....	.....	1	.....	.....	.....	.....	1
Over 60 years of age.....	.....	.....	.....	.....	.....	.....	.....	1
Natives of United States.....	18	1	.....	.....	2	4	.....	.....
Natives of Italy.....	4	1	.....	1	1	1	.....	5
Natives of Germany.....	.....	.....	.....	.....	.....	1	.....	.....
Natives of England.....	2	.....	.....	.....	.....	1	.....	.....
Natives of France.....	.....	.....	.....	.....	.....	.....	.....	.....
Other foreign countries.....	1	3	.....	.....	.....	.....	1	2
Married.....	6	.....	1	1	2	2	.....	4
Single.....	19	5	.....	.....	1	3	.....	3
Can read and write.....	24	3	1	1	4	6	1	6
Cannot read or write.....	1	2	.....	.....	5	9	.....	1
Had religious instruction.....	25	5	1	1	.....	.....	1	7
Parents living.....	9	3	.....	.....	1	4	.....	2
Father living.....	3	1	.....	.....	2	.....	1	1
Mother living.....	9	1	.....	.....	2	.....	.....	1
Parents dead.....	4	.....	1	1	.....	2	.....	3
Temperate.....	25	5	.....	.....	5	3	.....	7
Before convicted.....	16	.....	1	1	.....	9	1	1
Never before convicted.....	9	5	1	.....	2	.....	.....	6

TABLE E — COUNTY OF NEW YORK — (Continued)

[illegible]

TABLE E — COUNTY OF NIAGARA

	Aban- donment	Abduction	Assault, first degree	Assault, second degree	Burglary, second degree	Burglary, third degree	Carrying concealed weapons	Crime against nature
Number reported.....	105							
Males.....	100							
Females.....	5	1	1	4	1	7		
From 15 to 21 years of age.....				1		1		
From 21 to 25 years of age.....				1		3		
From 25 to 30 years of age.....	2					1	1	1
From 30 to 40 years of age.....	1			2				
From 40 to 50 years of age.....	1							
From 50 to 60 years of age.....	1	1		2		9	1	1
Natives of United States.....				1		3		
Natives of Italy.....								
Natives of Germany.....			1					
Natives of England.....	1							
Other foreign countries.....	2			4			1	
Married.....	4			2			1	
Single.....	2	1	1	5		6	1	1
Can read and write.....	2	1	1	6		7	2	1
Cannot read or write.....	4			1		12		
Had religious instruction.....	1	1	1	7	1			1
Parents living.....				2		2	1	
Father living.....		1		1		3		
Mother living.....	1			1	1	5		1
Parents dead.....	2			3		2	1	
Temperate.....	4	1	1	7		12	2	1
Before convicted.....	1			2		3	1	
Never before convicted.....	3	1	1	5		9	1	

TABLE E—COUNTY OF NIAGARA—(Continued)

	Robbery, first degree	Robbery, second degree	Robbery, third degree	Violation Highway Law	Violation Article 38, § 408	Violation Article 38, § 970	Totals
From 15 to 21 years of age.	2	1	1	1	1	1	19
From 21 to 26 years of age.	1	1	2	1	1	1	25
From 26 to 30 years of age.	1	1	1	1	1	1	30
From 30 to 35 years of age.	1	1	1	1	1	1	17
From 35 to 40 years of age.	1	1	1	1	1	1	15
From 40 to 45 years of age.	1	1	1	1	1	1	7
From 45 to 50 years of age.	1	1	1	1	1	1	2
From 50 to 55 years of age.	2	1	2	1	1	1	50
From 55 to 60 years of age.	1	1	1	1	1	1	16
From 60 to 65 years of age.	1	1	1	1	1	1	1
From 65 to 70 years of age.	1	1	1	1	1	1	1
From 70 to 75 years of age.	1	1	1	1	1	1	4
From 75 to 80 years of age.	1	1	1	1	1	1	24
From 80 to 85 years of age.	1	1	1	1	1	1	47
From 85 to 90 years of age.	1	1	1	1	1	1	58
From 90 to 95 years of age.	1	1	1	1	1	1	98
From 95 to 100 years of age.	1	1	1	1	1	1	7
From 100 to 105 years of age.	1	1	1	1	1	1	104
From 105 to 110 years of age.	1	1	1	1	1	1	1
From 110 to 115 years of age.	1	1	1	1	1	1	33
From 115 to 120 years of age.	1	1	1	1	1	1	16
From 120 to 125 years of age.	1	1	1	1	1	1	32
From 125 to 130 years of age.	1	1	1	1	1	1	32
From 130 to 135 years of age.	1	1	1	1	1	1	2
From 135 to 140 years of age.	1	1	1	1	1	1	105
From 140 to 145 years of age.	1	1	1	1	1	1	30
From 145 to 150 years of age.	1	1	1	1	1	1	79

TABLE E — COUNTY OF ONEIDA

	Aban- donment	Abduction	Arson, third degree	Assault, first degree	Assault, second degree	Burglary, second degree	Burglary, third degree	Carrying concealed weapons
Number reported.....	150							
Males.....	135							
Females.....	15							
Under 15 years of age.....							1	
From 15 to 21 years of age.....				3		1	15	
From 21 to 25 years of age.....					4			
From 25 to 30 years of age.....			1		7	1	7	1
From 30 to 40 years of age.....	1	1			3			
From 40 to 50 years of age.....	1			1				
From 50 to 60 years of age.....								1
Unknown.....								
Natives of United States.....		1			7	1	14	2
Natives of Italy.....			1	2	5		4	
Natives of Germany.....	1				2		1	
Natives of Canada.....	1							
Other foreign countries.....				2		1	4	
Unknown.....							1	
Married.....	2	1			3		1	
Single.....			1	4	11	2	22	2
Unknown.....								
Can read and write.....	2	1		3	13	2	23	2
Cannot read or write.....			1	1	1		1	
Unknown.....								
Had religious instruction.....	2	1	1	4	14	2	23	2
Unknown.....							1	
Parents living.....	1		1	1	4		1	1
Father living.....					3		16	
Mother living.....	1	1		3	5	2	2	1
Parents dead.....					2		5	
Unknown.....							1	
Temperate.....	1	1	1	3	9	1	20	1
Intemperate.....	1			1	5	1	3	1
Unknown.....							1	2
Before convicted.....						1	7	
Never before convicted.....	2	1	1	4	14	1	16	
Unknown.....							1	

TABLE E — COUNTY OF ONEIDA — (Continued)

	Crime against nature	Forgery, second degree	Larceny, first degree	Larceny, second degree	Man- slaughter, second degree	Mis- demcanor	Rape, second degree	Robbery, first degree
From 15 to 21 years of age.....	.....	1	.....	7	1	4	.....	.....
From 21 to 25 years of age.....	.....	.....	1	7	.....	5	1	1
From 25 to 30 years of age.....	.....	.....	1	1	.....	12	.....	1
From 30 to 40 years of age.....	1	1	.....	.....	.....	19	.....	1
From 40 to 50 years of age.....	1	2	1	1	.....	6	.....	.....
From 50 to 60 years of age.....	.....	.....	.....	1	.....	.....	.....	.....
Over 60 years of age.....	.....	.....	.....	1	.....	.....	.....	.....
Unknown.....	.....	.....	1	.....	.....	.....	.....	.....
Natives of United States.....	2	4	2	15	.....	9	.....	2
Natives of Italy.....	.....	.....	1	2	1	31	.....	1
Other foreign countries.....	.....	.....	.....	1	.....	6	1	.....
Unknown.....	2	.....	.....	.....	.....	.....	.....	.....
Married.....	.....	2	.....	4	.....	40	.....	1
Single.....	.....	2	3	14	1	6	1	2
Unknown.....	.....	.....	1	.....	.....	.....	.....	.....
Can read and write.....	2	4	3	18	1	9	1	2
Cannot read or write.....	.....	.....	.....	.....	.....	37	.....	1
Unknown.....	2	4	.....	18	1	.....	.....	.....
Had religious instruction.....	.....	.....	1	.....	.....	46	1	3
Unknown.....	1	2	1	.....	.....	.....	.....	.....
Parents living.....	.....	.....	.....	6	.....	15	.....	1
Father living.....	.....	.....	1	1	1	7	.....	.....
Mother living.....	.....	1	1	5	.....	9	.....	1
Parents dead.....	1	1	1	6	.....	15	.....	1
Unknown.....	.....	.....	1	.....	.....	.....	1	.....
Temperate.....	.....	2	2	15	1	45	.....	1
Intemperate.....	2	2	1	3	.....	1	1	2
Unknown.....	.....	.....	1	.....	.....	.....	.....	.....
Before convicted.....	2	1	1	8	.....	7	.....	1
Never before convicted.....	.....	2	2	15	1	39	1	2
Unknown.....	.....	.....	1	.....	.....	.....	.....	.....

TABLE E — COUNTY OF ONEIDA — (Continued)

	Robbery, second degree	Violation Highway Law	Violation Liquor Tax Law	Violation Article 88, § 970	Violation Article 88, § 974	Violation Article 220, § 2460	Totals
Under 15 years of age.....	.....	.....	.....	.....	.....	.....	1
From 15 to 21 years of age.....	.....	.....	.....	.....	.....	.....	32
From 21 to 25 years of age.....	1	.....	1	.....	.....	.....	23
From 25 to 30 years of age.....	.....	2	.....	2	.....	.....	36
From 30 to 40 years of age.....	.....	2	2	1	.....	1	34
From 40 to 50 years of age.....	.....	.....	1	1	.....	.....	15
From 50 to 60 years of age.....	.....	.....	3	.....	.....	.....	5
Over 60 years of age.....	.....	.....	.....	.....	.....	.....	1
Unknown.....	.....	1	.....	.....	.....	.....	3
Natives of United States.....	1	3	2	.....	1	.....	71
Natives of Italy.....	.....	1	4	.....	.....	1	54
Natives of Germany.....	.....	.....	.....	.....	.....	.....	4
Natives of Canada.....	.....	.....	1	.....	.....	.....	2
Other foreign countries.....	.....	.....	.....	1	.....	.....	16
Unknown.....	.....	1	.....	.....	.....	.....	3
Married.....	.....	1	2	.....	.....	1	66
Single.....	1	3	5	.....	.....	.....	81
Unknown.....	.....	1	.....	.....	.....	.....	3
Can read and write.....	.....	4	.....	6	.....	.....	103
Cannot read or write.....	1	.....	1	.....	.....	.....	44
Unknown.....	1	.....	7	.....	.....	1	147
Had religious instruction.....	.....	4	.....	6	.....	.....	3
Unknown.....	.....	1	.....	.....	.....	.....	58
Parents living.....	.....	2	3	.....	.....	.....	14
Father living.....	.....	1	.....	1	.....	.....	33
Mother living.....	1	1	.....	1	.....	.....	41
Parents dead.....	.....	.....	4	.....	.....	1	4
Unknown.....	.....	1	.....	.....	.....	.....	119
Temperate.....	1	1	.....	5	.....	1	28
Intemperate.....	.....	3	.....	1	.....	.....	3
Unknown.....	.....	1	.....	.....	.....	.....	28
Before convicted.....	.....	.....	1	2	.....	.....	119
Never before convicted.....	1	4	6	.....	.....	1	3
Unknown.....	.....	1	.....	.....	.....	.....	.....

TABLE E — COUNTY OF ONONDAGA — (Continued)

	Rape, second degree	Receiving stolen goods	Robbery, first degree	Robbery, second degree	Suicide	Violation Article 88, § 971	Violation Article 170, § 1872	Totals
From 15 to 21 years of age.....	2	1	2	1	.....	.....	.....	28
From 21 to 25 years of age.....	.....	2	1	.....	.....	.....	.....	41
From 25 to 30 years of age.....	3	.....	1	.....	.....	.....	1	35
From 30 to 40 years of age.....	1	2	1	.....	.....	.....	.....	47
From 40 to 50 years of age.....	2	.....	.....	.....	1	.....	.....	31
From 50 to 60 years of age.....	1	.....	.....	.....	.....	.....	.....	12
Over 60 years of age.....	7	4	3	1	.....	.....	1	1
Natives of United States.....	.....	.....	.....	.....	.....	.....	.....	127
Natives of Italy.....	.....	.....	.....	.....	.....	.....	.....	24
Natives of Germany.....	.....	.....	.....	.....	1	.....	.....	5
Natives of England.....	.....	.....	.....	.....	.....	.....	.....	1
Natives of Ireland.....	.....	.....	.....	.....	.....	.....	.....	3
Natives of Canada.....	.....	.....	.....	.....	.....	.....	.....	1
Other foreign countries.....	2	1	2	.....	.....	.....	.....	34
Married.....	4	3	8	1	.....	1	.....	90
Single.....	5	2	2	.....	.....	.....	.....	105
Can read and write.....	9	4	6	1	.....	1	1	182
Cannot read or write.....	.....	1	.....	.....	.....	.....	.....	13
Had religious instruction.....	9	6	5	1	.....	1	1	196
Parents living.....	3	1	1	1	.....	.....	.....	62
Father living.....	1	.....	.....	.....	.....	.....	.....	29
Mother living.....	1	1	.....	.....	1	.....	1	40
Parents dead.....	4	3	1	.....	.....	.....	.....	59
Unknown.....	.....	.....	2	.....	.....	.....	.....	5
Temperate.....	8	4	4	1	.....	1	.....	157
Intemperate.....	1	1	1	.....	.....	.....	.....	38
Before convicted.....	2	3	2	.....	.....	.....	.....	63
Never before convicted.....	7	2	3	1	.....	1	1	132

TABLE E — COUNTY OF ONTARIO

	Aban- donment	Abduction	Abortion	Assault, second degree	Burglary, third degree	Carrying concealed weapons	Crime against nature	Larceny, first degree
Number reported.....	54							
Males.....	53							
Females.....	1				1			2
From 15 to 21 years of age.....					1			
From 21 to 25 years of age.....					1			
From 25 to 30 years of age.....	2			2		1		
From 30 to 40 years of age.....	1						1	
From 40 to 50 years of age.....					1			
From 50 to 60 years of age.....			1					
From 60 to 69 years of age.....	3		1					
Natives of United States.....								
Natives of Italy.....	3		1	2	4	1	1	2
Married.....				2				
Single.....	3		1		2			
Can read and write.....					2			
Cannot read or write.....				2				
Had religious instruction.....	3		1		4	1	1	
Parents living.....	1				3	1		1
Father living.....				1	1		1	
Mother living.....	2							
Parents dead.....			1					
Temperate.....	1			1				
Intemperate.....	2		1	1				2
Before convicted.....	1			1				
Never before convicted.....	2		1	2	2	1	1	1

TABLE E — COUNTY OF ONTARIO — (Continued)

	Larceny, second degree	Mis- demeanor	Rape, first degree	Robbery, second degree	Violation Highway Law	Violation Liquor Tax Law	Totals
From 16 to 21 years of age.							
.....	2	1	1	1	.....	4	10
.....	1	.....	.....	.....	.....	2	5
.....	1	2	.....	.....	.....	12	19
.....	.....	1	.....	.....	1	2	12
.....	.....	.....	.....	.....	.....	1	5
.....	3	2	1	1	.....	23	32
.....	1	1	.....	.....	.....	.....	42
.....	.....	1	.....	.....	1	.....	5
.....	1	1	.....	.....	1	.....	7
.....	1	2	.....	.....	.....	6	30
.....	3	2	1	1	.....	17	24
.....	3	3	1	1	1	11	48
.....	1	3	1	.....	.....	27	6
.....	4	1	.....	.....	1	28	54
.....	1	.....	.....	.....	.....	4	13
.....	.....	.....	.....	.....	.....	4	8
.....	2	1	1	.....	.....	7	12
.....	1	3	.....	.....	1	13	23
.....	1	3	1	1	1	19	26
.....	.....	1	1	.....	.....	9	19
.....	4	2	3	0	1	23	43

TABLE E — COUNTY OF ORANGE

	Abandonment	Assault, second degree	Burglary, third degree	Crime against nature	Forgery, second degree	Larceny, first degree	Larceny, second degree
Number reported.....	95						
Males.....	89						
Females.....	6						
From 15 to 21 years of age.....	1	2	4				1
From 21 to 25 years of age.....	1	2	3			1	4
From 25 to 30 years of age.....	2	2	3		1	1	3
From 30 to 40 years of age.....	2	2	7	1			
From 40 to 50 years of age.....	6	0	24		1	2	4
.....		1					1
.....		1		1			1
.....	6	4	7	1		2	3
.....	0	4	17				3
.....	0	5	23	1		2	4
.....	0	3	1				7
.....	4	8	24	1	1	2	3
Father living.....		4	9			1	
Mother living.....		2	7				
Parents dead.....	2	1	3				
Temperate.....	5	1	5	1	1	1	
Intemperate.....	1	3	19	1			
Before convicted.....	1	4	9	1			
Never before convicted.....	5	4	15		1	3	3

TABLE E — COUNTY OF ORANGE — (Continued)

	Larceny, petit	Man- slaughter, first degree	Mis- demeanor	Murder, second degree	Perjury	Rape, first degree	Receiving stolen goods
From 15 to 21 years of age.....	1	2	3	.....	.....	1	3
From 21 to 25 years of age.....	.....	.....	5	.....	.....	.....	.....
From 25 to 30 years of age.....	.....	.....	3	.....	1	.....	1
From 30 to 40 years of age.....	.....	.....	2	1	.....	1	1
From 40 to 50 years of age.....	1	.....	3	.....	.....	.....	.....
From 50 to 60 years of age.....	.....	.....	1	.....	.....	.....	1
From 60 to 65 years of age.....	.....	2	13	.....	1	2	6
Natives of United States.....	2	.....	3	.....	.....	.....	.....
Natives of Italy.....	.....	.....	1	.....	.....	.....	.....
Natives of England.....	.....	.....	.....	.....	.....	.....	.....
Other foreign countries.....	.....	.....	.....	1	.....	.....	.....
Married.....	1	.....	10	.....	.....	.....	3
Single.....	1	2	7	1	.....	2	3
Can read and write.....	2	2	15	.....	1	2	6
Cannot read or write.....	.....	.....	2	1	.....	.....	.....
Had religious instruction.....	2	.....	17	.....	1	2	.....
Parents living.....	.....	2	2	.....	.....	.....	6
Father living.....	1	.....	3	.....	.....	.....	3
Mother living.....	1	.....	4	.....	1	.....	1
Parents dead.....	.....	.....	8	1	.....	1	1
Temperate.....	2	2	17	1	1	1	6
Intemperate.....	.....	.....	.....	.....	.....	.....	.....
Before convicted.....	.....	.....	3	.....	.....	1	3
Never before convicted.....	2	2	14	1	1	1	3

TABLE E — COUNTY OF ORLEANS

	Aban- donment	Burglary, second degree	Burglary, third degree	Crime against nature	Forgery, second degree	Larceny, second degree	Totals
Number reported.....							5
Males.....							2
Females.....		1	2	1		1	1
From 15 to 21 years of age.....	1		1				1
From 21 to 25 years of age.....					1		1
From 30 to 40 years of age.....			1				1
From 40 to 50 years of age.....			4		1		1
Natives of United States.....	1	1					1
Unknown.....				1			1
Single.....	1	1	4	1	1	1	9
Can read and write.....	1	1	4	1	1	1	9
Had religious instruction.....	1	1	4	1	1	1	9
Parents living.....			2		1		4
Mother living.....			1				1
Parents dead.....	1	1	1	1			4
Temperate.....	1	1	3				1
Intemperate.....			1				1
Before convicted.....	1	1	1	1			4
Never before convicted.....			3		1	1	5

TABLE E — COUNTY OF OSWEGO

	Aban- donment	Assault, first degree	Assault, second degree	Bigamy	Burglary, third degree	Carrying concealed weapons	Forgery, second degree
Number reported	68						
Males	64						
Females	4						1
From 15 to 21 years of age		1	1	2	4		
From 25 to 30 years of age		1	1	1	2		
From 30 to 40 years of age	4				1		
From 40 to 50 years of age		1					
From 50 to 60 years of age	2		4			1	
Over 60 years of age			1				
Natives of United States	6		3	2	4	1	1
Natives of Italy		3	1				
Natives of Ireland			1				
Natives of Canada				1			
Other foreign countries			2		3		
Married	6	3		3			
Single			6		7	1	1
Can read and write	6	1	1	3	7	1	1
Cannot read or write		2	3				
Had religious instruction	6	3	7	3	7	1	1
Parents living	2			1	4		
Father living	1	1					
Mother living	3		1	1			
Parents dead		2	4	3	3	1	1
Temperate	3	2	7				
Intemperate	3	1			2		1
Before convicted	3	3	3		4		
Never before convicted	3	3	4	3	3	1	

TABLE E — COUNTY OF OSWEGO — (Continued)

	Robbery, second degree	Violation Liquor Tax Law	Violation Article 88, § 970	Violation Article 88, § 982	Violation Article 172, § 1899	Violation Article 178, § 1991	Totals
From 15 to 21 years of age.....	.....	.....	.....	.....	.....	.....	7
From 21 to 25 years of age.....	1	1	.....	.....	1	1	8
From 25 to 30 years of age.....	1	1	.....	.....	.....	.....	10
From 30 to 40 years of age.....	.....	4	.....	2	.....	.....	22
From 40 to 50 years of age.....	.....	4	.....	1	1	.....	10
From 50 to 60 years of age.....	.....	2	.....	1	.....	.....	10
Over 60 years of age.....	.....	.....	.....	.....	.....	.....	1
Natives of United States.....	2	.....	1	3	.....	1	44
Natives of Italy.....	.....	9	.....	.....	2	.....	10
Natives of Ireland.....	.....	1	.....	.....	.....	.....	1
Natives of Canada.....	.....	2	.....	1	.....	.....	4
Other foreign countries.....	.....	.....	.....	.....	.....	.....	9
Married.....	2	7	1	4	2	.....	45
Single.....	.....	5	.....	.....	.....	1	23
Can read and write.....	2	12	1	4	.....	1	57
Cannot read or write.....	.....	.....	.....	.....	1	.....	11
Had religious instruction.....	2	12	1	4	2	1	68
Parents living.....	1	3	.....	.....	2	.....	23
Father living.....	.....	1	1	1	.....	1	7
Mother living.....	.....	3	.....	.....	.....	.....	15
Parents dead.....	1	5	.....	2	.....	.....	23
Temperate.....	1	10	1	4	2	1	53
Intemperate.....	1	2	.....	.....	.....	.....	15
Before convicted.....	.....	2	.....	1	.....	.....	22
Never before convicted.....	2	10	1	3	2	1	46

TABLE E — COUNTY OF ONONDAGA — (Continued)

	Rape, second degree	Receiving stolen goods	Robbery, first degree	Robbery, second degree	Suicide	Violation Article 88, § 971	Violation Article 170, § 1872	Totals
From 15 to 21 years of age	2	1	2	1	1	1	1	28
From 21 to 25 years of age		2	1					41
From 25 to 30 years of age	3	1	1			1	1	36
From 30 to 40 years of age	1	2	1		1			47
From 40 to 50 years of age	2							31
From 50 to 60 years of age	1	1						12
Over 60 years of age	7	4	3	1		1	1	127
.....					1			24
.....								3
.....								1
.....								3
.....								1
.....	2	1	2	1	1	2		34
.....	4	3	3					90
.....	5	2	2		1		1	105
.....	9	4	6	1	1	1	1	182
.....		1						13
.....	9	6	3	1	1		1	196
.....	3	1	1					62
.....	1				1			20
.....	1	1	1		1			40
.....	4	3	2					59
.....								5
.....								167
.....	8	4	4	1	1		1	28
.....	1	1	1					63
.....	2	2	3					133
.....	7	2	3	1	1	1	1	
Parents dead								
Unknown								
Temperate								
Intemperate								
Before convicted								
Never before convicted								

TABLE E — COUNTY OF ONTARIO

	Aban- donment	Abduction	Abortion	Assault, second degree	Burglary, third degree	Carrying concealed weapons	Crime against nature	Larceny, first degree
Number reported.....	54							
Males.....	53							
Females.....	1							2
From 15 to 21 years of age.....					1			
From 21 to 25 years of age.....					1			
From 25 to 30 years of age.....	2			2	1	1		
From 30 to 40 years of age.....	1						1	
From 40 to 50 years of age.....					1			
From 50 to 60 years of age.....		1	1					
From 60 to 69 years of age.....	3	1	1		4		1	2
Natives of United States.....								
Natives of Italy.....	3			2		1		
Married.....			1	2				
Single.....	3				2	1	1	2
Can read and write.....		1	1		2			
Cannot read or write.....						1	1	2
Had religious instruction.....	3	1	1	2	4	1		1
Parents living.....	1				3	1		1
Father living.....				1	1		1	
Mother living.....	2							
Parents dead.....			1	1				
Temperate.....	1	1		1	2	1		2
Intemperate.....	2		1	1				
Before convicted.....	1				2		1	1
Never before convicted.....	2	1	1	2	2	1	1	

TABLE E — COUNTY OF ORANGE

	Aban- donment	Assault, second degree	Burglary, third degree	Crime against nature	Forgery, second degree	Larceny, first degree	Larceny, second degree
Number reported.....	95						
Males.....	89						
Females.....	6						1
From 15 to 21 years of age.....		2	4				4
From 21 to 25 years of age.....	1	2	3				
From 25 to 30 years of age.....	1	2	7			1	
From 30 to 40 years of age.....	2	2	3		1	1	2
From 40 to 50 years of age.....	2	2	7	1			
From 50 years of age.....	6	6	24		1	2	4
Natives of United States.....							1
Natives of Italy.....		1					4
Other foreign countries.....		1		1			1
Married.....	6	4	7	1	1	2	2
Single.....		4	17				3
Can read and write.....	6	4	23	1	1	2	4
Cannot read or write.....		8	1				7
Had religious instruction.....	6		24	1	1	2	
Parents living.....	4	4	9			1	3
Father living.....		2	7				2
Mother living.....		1	3				
Parents dead.....	2	1	5	1	1	1	2
Temperate.....	5	8	19	1	1	1	7
Intemperate.....	1		5			1	
Before convicted.....	1	4	9	1			2
Never before convicted.....	5	4	15		1	2	5

TABLE E — COUNTY OF ORANGE — (Continued)

	Larceny, petit	Man- slaughter, first degree	Mis- demeanor	Murder, second degree	Perjury	Rape, first degree	Receiving stolen goods
From 15 to 21 years of age.....	1	2	3	.....	.....	1	3
From 21 to 25 years of age.....	.....	.....	5	.....	.....	.....	.....
From 25 to 30 years of age.....	.....	.....	3	.....	1	.....	1
From 30 to 40 years of age.....	.....	.....	2	1	.....	1	1
From 40 to 50 years of age.....	1	.....	3	.....	.....	.....	.....
From 50 to 60 years of age.....	.....	.....	1	.....	.....	.....	1
From 60 to 60 years of age.....	2	2	13	.....	1	2	6
Natives of United States.....	.....	.....	3	.....	.....	.....	.....
Natives of Italy.....	.....	.....	1	.....	.....	.....	.....
Natives of England.....	.....	.....	.....	.....	.....	.....	.....
Other foreign countries.....	.....	.....	.....	1	.....	.....	.....
Married.....	1	.....	10	.....	.....	.....	3
Single.....	1	2	7	1	1	2	3
Can read and write.....	2	2	15	.....	1	2	6
Cannot read or write.....	.....	.....	2	1	.....	.....	.....
Had religious instruction.....	2	2	17	1	1	2	.....
Parents living.....	.....	.....	2	.....	.....	.....	3
Father living.....	1	.....	3	.....	1	.....	1
Mother living.....	1	.....	4	.....	.....	.....	1
Parents dead.....	.....	.....	8	1	.....	1	1
Temperate.....	2	2	17	1	.....	1	6
Intemperate.....	.....	.....	.....	.....	.....	1	.....
Before convicted.....	.....	.....	3	.....	.....	1	3
Never before convicted.....	2	2	14	1	1	1	3

TABLE E — COUNTY OF ORANGE — (Continued)

	Robbery, first degree	Violation Highway Law	Violation Liquor Tax Law	Violation Article 88, § 970	Violation Article 88, § 973	Totals
From 15 to 21 years of age.....	.....	.....	.....	.....	.....	16
From 21 to 26 years of age.....	1	.....	.....	.....	.....	16
From 26 to 30 years of age.....	.....	.....	.....	1	.....	17
From 30 to 40 years of age.....	1	.....	3	3	.....	23
From 40 to 50 years of age.....	.....	.....	.....	.....	1	20
From 50 to 60 years of age.....	.....	1	1	.....	.....	4
From 60 to 69 years of age.....	2	1	3	4	1	89
Natives of United States.....	.....	.....	.....	.....	.....	6
Natives of Italy.....	.....	.....	1	.....	.....	1
Natives of Germany.....	.....	.....	1	.....	.....	1
Natives of England.....	.....	.....	.....	.....	.....	1
Other foreign countries.....	.....	.....	3	.....	.....	7
Married.....	.....	1	6	.....	1	46
Single.....	2	.....	1	4	.....	49
Can read and write.....	2	1	7	4	1	91
Cannot read or write.....	.....	.....	.....	.....	.....	4
Had religious instruction.....	2	1	7	4	1	25
Parents living.....	.....	.....	.....	1	.....	29
Father living.....	2	.....	.....	.....	.....	19
Mother living.....	.....	.....	2	1	.....	14
Parents dead.....	.....	1	5	2	1	33
Temperate.....	2	1	7	4	1	87
Intemperate.....	.....	.....	.....	.....	.....	8
Before convicted.....	1	1	1	.....	.....	27
Never before convicted.....	1	.....	6	4	1	68

TABLE E — COUNTY OF ORLEANS

	Aban- donment	Burglary, second degree	Burglary, third degree	Crime against nature	Forgery, second degree	Larceny, second degree	Totals
Number reported.....							5
Males.....							2
Females.....							1
From 15 to 21 years of age.....	1	1	2	1			
From 21 to 25 years of age.....			1				
From 30 to 40 years of age.....					1		
From 40 to 50 years of age.....			1				
Natives of United States.....	1	1	4		1	1	
Unknown.....				1			
Single.....	1	1	4	1	1	1	
Can read and write.....	1	1	4	1	1	1	
Had religious instruction.....	1	1	4	1	1	1	
Parents living.....			2				
Mother living.....			1				
Parents dead.....	1	1	1	1			
Temperate.....	1	1	3		1	1	
Intemperate.....			1				
Before convicted.....	1	1	1	1			
Never before convicted.....			3		1	1	

TABLE E — COUNTY OF OSWEGO

	Aban- donment	Assault, first degree	Assault, second degree	Bigamy	Burglary, third degree	Carrying concealed weapons	Forgery, second degree
Number reported	68						
Males	64						
Females	4						1
From 15 to 21 years of age		1	1	2	4		
From 25 to 30 years of age		1	1	1	2		
From 30 to 40 years of age	4				1		
From 40 to 50 years of age		1					
From 50 to 60 years of age	2		4			1	
Over 60 years of age			1				
Natives of United States	6		3	2	4	1	1
Natives of Italy		3	1				
Natives of Ireland			1				
Natives of Canada				1			
Other foreign countries			2		3		
Married	6	3					
Single			6	3	7	1	1
Can read and write	6	1	1	3	7	1	1
Cannot read or write		2	3	4			
Had religious instruction	6	3	7		7	1	1
Parents living	2			1	4		
Father living	1	1					
Mother living	3		1	1			
Parents dead		2	4	3	3	1	
Temperate	3	2	7		5	1	1
Intemperate	3	1			2		
Before convicted	3	3	3		4		1
Never before convicted	3	3	4	3	3	1	

TABLE E — COUNTY OF OSWEGO — (Continued)

	Robbery, second degree	Violation Liquor Tax Law	Violation Article 88, § 970	Violation Article 88, § 982	Violation Article 172, § 1899	Violation Article 178, § 1991	Totals
From 15 to 21 years of age.....	.....	.....	.....	.....	.....	.....	7
From 21 to 25 years of age.....	1	1	.....	.....	1	1	8
From 25 to 30 years of age.....	1	1	.....	.....	.....	.....	10
From 30 to 35 years of age.....	.....	4	.....	2	.....	.....	22
From 35 to 40 years of age.....	.....	4	1	1	1	.....	10
From 40 to 50 years of age.....	.....	2	.....	1	.....	.....	10
From 50 to 60 years of age.....	.....	.....	.....	.....	.....	.....	1
Over 60 years of age.....	2	9	1	3	.....	.....	14
Natives of United States.....	.....	1	.....	.....	2	.....	10
Natives of Italy.....	.....	.....	.....	.....	.....	.....	1
Natives of Ireland.....	.....	2	.....	1	.....	.....	4
Natives of Canada.....	.....	.....	.....	.....	.....	.....	9
Other foreign countries.....	2	7	1	4	2	.....	45
Married.....	.....	5	.....	.....	.....	.....	23
Single.....	2	12	1	4	1	1	57
Can read and write.....	.....	.....	.....	.....	1	.....	11
Cannot read or write.....	2	12	1	4	2	1	68
Had religious instruction.....	1	3	.....	.....	2	.....	23
Parents living.....	.....	1	1	1	.....	1	7
Father living.....	.....	3	.....	.....	.....	.....	15
Mother living.....	.....	5	.....	2	.....	.....	23
Parents dead.....	1	10	1	4	2	1	53
Temperate.....	1	2	.....	.....	.....	.....	15
Intemperate.....	1	2	.....	.....	.....	.....	22
Before convicted.....	2	10	1	3	2	1	46
Never before convicted.....	.....	.....	.....	.....	.....	.....	.....

TABLE E — COUNTY OF OTSEGO

	Assault, second degree	Burglary, second degree	Burglary, third degree	Forgery, second degree	Larceny, second degree	Mis- demeanor	Robbery, first degree	Violation Highway Law	Violation Liquor Tax Law	Totals
Number reported.....										2
Males.....										1
Females.....										1
From 15 to 21 years of age.....					1		1			2
From 21 to 25 years of age.....					1					1
From 25 to 30 years of age.....										1
From 30 to 40 years of age.....	1		1		2					4
From 40 to 50 years of age.....		1	1							2
Natives of United States.....	1	1	1		4		1	1		9
Married.....		1								1
Single.....	1				4		1			6
Can read and write.....	1	1			4	2	1			12
Cannot read or write.....										1
Had religious instruction.....	1	1	1							3
Parents living.....					4	2				6
Father living.....										1
Mother living.....	1									1
Parents dead.....		1			2					3
Temperate.....	1				4		1			6
Intemperate.....		1								1
Before convicted.....			1							1
Never before convicted.....	1	1			2	1	1			6
Unknown.....				1						1

TABLE E—COUNTY OF PUTNAM

	Burglary, first degree	Burglary, third degree	Carrying concealed weapons	Mis- demeanor	Violation Liquor Tax Law	Totals
Number reported.....	12					
Males.....	10					
Females.....	2					
From 15 to 21 years of age.....		2				2
From 21 to 25 years of age.....		2				2
From 25 to 30 years of age.....		1				1
From 30 to 40 years of age.....	1		1		1	3
From 40 to 50 years of age.....				4		4
Natives of United States.....	1		1	4		9
Natives of Italy.....		3				3
Natives of Germany.....		1			1	2
Married.....		1				1
Single.....	1	2		1		3
Can read and write.....	1	3		3	1	9
Cannot read or write.....		5		4	1	11
Had religious instruction.....			1			1
Parents living.....	1		1		1	3
Mother living.....					1	1
Parents dead.....	1			1		2
Temperate.....		5		3		8
Intemperate.....		3		4		7
Before convicted.....	1		1		1	3
Never before convicted.....	1	2				3
		3	1	4	1	9

TABLE E—COUNTY OF QUEENS

	Aban- donment	Assault, first degree	Assault, second degree	Bigamy	Blackmail	Burglary, second degree	Burglary, third degree
Number reported	140						
Males	133						
Females	7	1	1			1	16
From 15 to 21 years of age			2		1	1	8
From 21 to 25 years of age			3			1	3
From 25 to 30 years of age			7			1	4
From 30 to 40 years of age	1		4				
From 40 to 50 years of age	1						
From 50 to 60 years of age	1			1			
From 60 to 69 years of age	2		10				27
Natives of United States			2		1	1	
Natives of Italy			5	1			4
Other foreign countries	1	1	10				6
Married	2		7	1	1	4	23
Single	1	1	16			4	31
Can read and write			1	1	1		
Cannot read or write		1	17	1	1	4	31
Had religious instruction	3	1	3		1		16
Parents living	1	1	7				4
Father living			5				9
Mother living			2	1		2	2
Parents dead	2		11	1	1	3	27
Temperate	3		6			1	4
Intemperate		1	10			2	21
Before convicted			7			2	10
Never before convicted	3	1		1	1		

TABLE E — COUNTY OF QUEENS — (Continued)

	Carrying concealed weapons	Crime against nature	Forgery, second degree	Larceny, second degree	Mis- demeanor	Rape, second degree	Receiving stolen goods
From 15 to 21 years of age.....	2	.....	.....	3	23	2	1
From 21 to 25 years of age.....	.....	.....	.....	5	9	1	1
From 25 to 30 years of age.....	.....	.....	.....	4	4	1	.....
From 30 to 40 years of age.....	2	1	.....	.....	6	.....	.....
From 40 to 50 years of age.....	.....	.....	2	.....	4	.....	.....
From 50 to 60 years of age.....	.....	.....	.....	.....	5	.....	.....
Over 60 years of age.....	.....	.....	.....	.....	1	.....	.....
Natives of United States.....	3	1	2	12	39	3	2
Natives of Italy.....	.....	.....	.....	.....	5	1	.....
Natives of England.....	1	.....	.....	.....	.....	.....	.....
Other foreign countries.....	.....	.....	.....	.....	.....	.....	.....
Married.....	.....	1	2	3	8	.....	.....
Single.....	4	.....	.....	9	21	4	2
Can read and write.....	4	1	2	12	31	3	2
Cannot read or write.....	.....	.....	.....	.....	50	1	.....
Had religious instruction.....	4	1	2	12	2	4	2
Parents living.....	1	.....	.....	.....	52	3	2
Father living.....	1	.....	1	2	19	.....	.....
Mother living.....	.....	.....	1	4	9	.....	.....
Parents dead.....	2	1	1	2	6	.....	.....
Temperate.....	3	.....	2	4	18	1	.....
Intemperate.....	1	1	.....	12	45	4	2
Before convicted.....	4	.....	.....	.....	7	.....	1
Never before convicted.....	.....	1	2	5	27	2	1
	.....	.....	.....	7	25	2	.....

TABLE E — COUNTY OF QUEENS — (Continued)

	Robbery, second degree	Robbery, third degree	Violation Highway Law	Violation Article 38, § 408	Violation Article 172, § 1895	Totals
From 15 to 21 years of age.....	.....	.....	.....	.....	.....	50
From 21 to 25 years of age.....	1	.....	.....	.....	1	30
From 25 to 30 years of age.....	.....	1	.....	1	.....	18
From 30 to 40 years of age.....	.....	.....	1	.....	.....	23
From 40 to 50 years of age.....	.....	.....	.....	.....	.....	11
From 50 to 60 years of age.....	.....	.....	.....	.....	.....	7
Over 60 years of age.....	.....	.....	.....	.....	.....	1
Natives of United States.....	.....	1	.....	.....	.....	105
Natives of Italy.....	1	.....	.....	1	1	13
Natives of England.....	.....	.....	.....	.....	.....	1
Other foreign countries.....	.....	.....	1	.....	.....	21
Married.....	.....	.....	1	.....	.....	46
Single.....	1	1	.....	1	1	94
Can read and write.....	1	1	1	.....	.....	132
Cannot read or write.....	.....	.....	.....	1	.....	8
Had religious instruction.....	1	1	1	.....	1	140
Parents living.....	.....	.....	.....	.....	.....	49
Father living.....	.....	1	.....	.....	.....	26
Mother living.....	1	.....	1	.....	1	30
Parents dead.....	.....	.....	.....	1	.....	35
Temperate.....	1	1	1	.....	1	119
Intemperate.....	.....	.....	.....	.....	.....	21
Before convicted.....	1	.....	.....	1	.....	74
Never before convicted.....	.....	1	1	.....	1	66

TABLE E — COUNTY OF RENNELAER

	Arson, third degree	Assault, first degree	Assault, second degree	Burglary, first degree	Burglary, third degree	Larceny, first degree	Larceny, second degree
Number reported	45						
Males	36						
Females	9						
From 15 to 21 years of age					2		2
From 21 to 25 years of age						1	2
From 25 to 30 years of age	1				5	1	1
From 30 to 40 years of age		1	2		7		
From 40 to 50 years of age					1		
Over 60 years of age				1			
Unknown							
Natives of United States					1		
Natives of Germany		1	1		10	2	5
Natives of Ireland			1		1		
Natives of Canada							
Other foreign countries	1				1		
Unknown					3		
Married			1		1		
Single	1	1	1		4	2	1
Unknown				1	10		4
Literacy unknown	1	1	2		2		
Had religious instruction	1	1	1		16	2	5
Unknown			1		15	2	5
Parents living	1				1		3
Father living			1		5	2	3
Mother living							
Parents dead		1	1	1			
Unknown					1		
Temperate	1	1	1		9		2
Intemperate			1		1		
Unknown					13	2	3
Before convicted		1			2		2
Never before convicted	1		2			1	3
Unknown					11	1	2
					1		

TABLE E — COUNTY OF RICHMOND

	Abandonment	Abduction	Assault, first degree	Assault, second degree	Bigamy	Burglary, third degree	Carrying concealed weapons
Number reported.....							
Males.....	72						
Females.....	69						
From 15 to 21 years of age.....	3					4	
From 21 to 25 years of age.....						1	
From 25 to 30 years of age.....						2	
From 30 to 40 years of age.....	1	1		1	1	1	
From 40 to 50 years of age.....	2					2	1
From 50 to 60 years of age.....	3	1	1		1		
Natives of United States.....				1		8	
Natives of Germany.....			1		1		
Natives of Ireland.....					1	1	
Other foreign countries.....						1	1
Married.....	3	1	1		1		
Single.....							
Can read and write.....	3	1	1		1	10	
Cannot read or write.....				1	2	10	
Had religious instruction.....	3	1	1				1
Parents living.....				1	2	10	1
Father living.....	1					4	
Mother living.....	1	1					
Parents dead.....	1		1		2		1
Unknown.....						1	
Temperate.....	2	1	1	1	2	8	1
Intemperate.....	1					2	
Before convicted.....						6	
Never before convicted.....	3	1	1	1	2	4	1

TABLE E — (COUNTY OF RICHMOND — (Continued)

	Crime against nature	Forgery, third degree	Larceny, second degree	Mis- demeanor	Receiving stolen goods	Violation Highway Law	Totals
From 15 to 21 years of age.....	.....	.....	.....	11	.....	.....	15
From 21 to 25 years of age.....	.....	.....	.....	13	.....	1	15
From 25 to 30 years of age.....	.....	.....	.....	8	.....	1	11
From 30 to 40 years of age.....	.....	1	1	9	.....	.....	16
From 40 to 50 years of age.....	1	.....	1	3	1	.....	11
From 50 to 60 years of age.....	1	.....	.....	1	1	.....	4
Natives of United States.....	2	.....	1	27	.....	1	45
Natives of Italy.....	.....	.....	.....	5	.....	.....	5
Natives of Germany.....	.....	.....	1	1	.....	.....	4
Natives of Ireland.....	.....	.....	.....	2	.....	.....	4
Other foreign countries.....	.....	1	.....	10	.....	1	14
Married.....	1	1	2	13	.....	1	27
Single.....	1	.....	.....	32	.....	1	45
Can read and write.....	2	1	2	42	1	2	65
Cannot read or write.....	.....	.....	.....	3	.....	.....	4
Had religious instruction.....	2	1	2	45	1	2	72
Parents living.....	.....	1	.....	16	.....	2	24
Father living.....	1	.....	.....	6	.....	.....	8
Mother living.....	.....	.....	.....	11	.....	.....	15
Parents dead.....	1	.....	1	10	1	.....	21
Unknown.....	.....	.....	1	2	.....	.....	4
Temperate.....	2	.....	2	44	1	2	68
Intemperate.....	.....	1	.....	1	.....	.....	4
Before convicted.....	.....	.....	.....	10	.....	.....	18
Never before convicted.....	2	1	2	35	.....	1	54

TABLE E — COUNTY OF ROCKLAND — (Continued)

	Murder, second degree	Rape, second degree	Receiving stolen goods	Violation Liquor Tax Law	Violation Article 134, § 1423	Violation Article 170, § 1872	Totals
From 15 to 21 years of age.....	.....	.....	.....	.....	.....	.....	7
From 21 to 25 years of age.....	.....	.....	.....	.....	.....	.....	4
From 25 to 30 years of age.....	1	1	1	.....	.....	.....	5
From 30 to 40 years of age.....	1	.....	.....	.....	.....	1	6
From 40 to 50 years of age.....	.....	.....	1	3	.....	.....	6
From 50 to 60 years of age.....	.....	.....	.....	2	1	.....	4
Over 60 years of age.....	.....	.....	.....	.....	.....	.....	1
Natives of United States.....	2	1	.....	3	1	1	23
Natives of Italy.....	1	.....	1	.....	.....	.....	5
Natives of Germany.....	.....	.....	.....	1	.....	.....	1
Natives of England.....	.....	.....	.....	1	.....	.....	1
Other foreign countries.....	.....	.....	.....	1	.....	.....	3
Married.....	2	.....	1	6	.....	1	22
Single.....	1	1	.....	.....	1	.....	11
Can read and write.....	2	1	1	6	1	1	31
Cannot read or write.....	1	.....	.....	.....	.....	.....	2
Had religious instruction.....	3	1	1	6	1	1	31
Never had religious instruction.....	.....	.....	.....	.....	.....	.....	1
Unknown.....	.....	.....	.....	.....	.....	.....	1
Parents living.....	2	1	.....	2	.....	1	9
Father living.....	.....	.....	.....	.....	.....	.....	1
Mother living.....	.....	.....	.....	1	.....	.....	7
Parents dead.....	1	.....	1	3	1	.....	16
Temperate.....	3	1	1	6	1	1	31
Intemperate.....	.....	.....	.....	.....	.....	.....	2
Before convicted.....	.....	.....	.....	1	.....	.....	9
Never before convicted.....	3	1	1	5	1	1	24

TABLE E—COUNTY OF ST. LAWRENCE

	Aban- donment	Abduction	Assault, second degree	Bigamy	Burglary, third degree	Carrying concealed weapons
Number reported.....	114					
Males.....	108					
Females.....	6					
From 15 to 21 years of age.....			1	1	2	1
From 21 to 25 years of age.....	1		3		7	2
From 25 to 30 years of age.....			3		6	1
From 30 to 40 years of age.....			4			1
From 40 to 50 years of age.....		1	1	1		1
Natives of United States.....	1	1	5	2	15	2
Natives of Italy.....			4			1
Natives of Germany.....			1			
Natives of Scotland.....			1			
Other foreign countries.....			1			
Married.....	1		2	1		2
Single.....		1	10	1	6	3
Can read and write.....	1	1	10	2	9	3
Cannot read or write.....			2		15	5
Had religious instruction.....	1	1	12	2		5
Parents living.....	1		9	1	13	3
Mother living.....			1	1		1
Parents dead.....		1	2		2	1
Temperate.....	1	1	11		15	5
Intemperate.....			1			
Before convicted.....	1					3
Never before convicted.....		1	12	2	6	2

TABLE E—COUNTY OF ST. LAWRENCE—(Continued)

	Forgery, second degree	Larceny, second degree	Mis- demeanor	Receiving stolen goods	Suicide	Totals
From 15 to 21 years of age.....		2	3			9
From 21 to 25 years of age.....			12		1	25
From 25 to 30 years of age.....	1	1	9			22
From 30 to 40 years of age.....	1		12	1		19
From 40 to 50 years of age.....			21			25
From 50 to 60 years of age.....	1		11			12
Over 60 years of age.....			1			1
Unknown.....			1			1
Natives of United States.....						60
Natives of Italy.....	3	2	36	1	1	20
Natives of Germany.....			15			1
Natives of Scotland.....						1
Natives of Canada.....						3
Other foreign countries.....		1				19
Unknown.....			1			1
Married.....	1	1	36	1	1	53
Single.....	2	2	33			60
Unknown.....			1			1
Can read and write.....	3	3	65	1	1	107
Cannot read or write.....			4			6
Unknown.....			1			1
Had religious instruction.....		3	69	1	1	113
Unknown.....			1			1
Parents living.....		2	21			50
Father living.....	1	1	12			14
Mother living.....			6	1	1	11
Parents dead.....	2		30			38
Unknown.....	3	3	1	1	1	106
Temperate.....			63			7
Intemperate.....			6			1
Unknown.....	1		1			38
Before convicted.....	2	3	24	1	1	75
Never before convicted.....			45			1
Unknown.....			1			

TABLE E—COUNTY OF SARATOGA

	Aban- donment	Assault, second degree	Burglary, third degree	Forgery, second degree	Larceny, second degree	Man- slaughter, first degree	Mis- demeanor	Violation Liquor Tax Law	Violation Article 88, § 970	Totals
Number reported.....	31									5
Males.....	26									2
Females.....	5		4			1				5
From 15 to 21 years of age.....			1			1				2
From 21 to 25 years of age.....			2		1					3
From 25 to 30 years of age.....	1	2		3			4			9
From 30 to 40 years of age.....		1					4	1		7
From 40 to 50 years of age.....			2				2			3
From 50 to 60 years of age.....						2	5		1	20
Natives of United States.....	1	1	8	2			1		1	4
Natives of Italy.....		2						1		1
Natives of Germany.....				1						1
Natives of England.....							2			2
Natives of Ireland.....							2			2
Natives of Canada.....										2
Married.....	1	1	1	1				1		10
Single.....		2	8	2		2				21
Can read and write.....		2	9	3		2		1		28
Cannot read or write.....	1	1								3
Had religious instruction.....	1	3				2	10	1	1	31
Parents living.....			9	3						7
Father living.....			4	1		1		1		4
Mother living.....			1	1						9
Parents dead.....	1	1	3			1	4			11
Temperate.....	1	1	1	1			6	1	1	26
Intemperate.....		2	7	3		2	9			5
Before convicted.....			2				1			7
Never before convicted.....	1	3	5	2		2	10	1	1	23
Unknown.....			4	1						1

TABLE E — COUNTY OF SCHENECTADY

	Aban- donment	Abduction	Assault, second degree	Burglary, third degree	Carrying concealed weapons	Crime against nature
Number reported.....	33					
Males.....	33					
Females.....	0					
From 21 to 25 years of age.....			1	3		
From 25 to 30 years of age.....			2			
From 30 to 40 years of age.....		1	1	2		1
From 40 to 50 years of age.....	1				1	
Natives of United States.....	1			3		
Natives of Italy.....			4	2	1	
Natives of Canada.....						1
Unknown.....		1				
Married.....	1	1	2	3	1	
Single.....			2			
Can read and write.....	1	1	4	2		1
Cannot read or write.....						1
Had religious instruction.....	1	1		1	1	
Parents living.....			4	5		1
Father living.....			2	3		1
Mother living.....			1			
Parents dead.....	1	1				
Temperate.....	1		4	2	1	
Intemperate.....				4	1	1
Before convicted.....				1		
Never before convicted.....	1	1	4	3	1	1

TABLE E—COUNTY OF SCHENECTADY—(Continued)

	Escaping prisoner	Larceny, second degree	Mis- demeanor	Violation Liquor Tax Law	Totals
From 15 to 21 years of age.....	.....	1	.....	.....	1
From 21 to 25 years of age.....	.....	.....	.....	.....	4
From 25 to 30 years of age.....	.....	.....	7	1	10
From 30 to 40 years of age.....	1	.....	7	1	14
From 40 to 50 years of age.....	.....	.....	.....	.....	2
Over 60 years of age.....	.....	.....	2	.....	2
Natives of United States.....	1	1	.....	1	7
Natives of Italy.....	.....	.....	.....	.....	7
Natives of Canada.....	.....	.....	.....	.....	1
Other foreign countries.....	.....	.....	.....	.....	1
Unknown.....	.....	.....	15	1	17
Married.....	.....	.....	6	.....	14
Single.....	1	1	10	.....	19
Can read and write.....	1	1	16	2	31
Cannot read or write.....	.....	.....	.....	2	2
Had religious instruction.....	1	1	16	.....	33
Parents living.....	.....	.....	9	.....	16
Father living.....	.....	.....	2	.....	3
Mother living.....	.....	1	2	.....	4
Parents dead.....	1	.....	4	.....	10
Temperate.....	1	1	14	2	30
Intemperate.....	.....	.....	2	.....	3
Before convicted.....	.....	.....	4	.....	7
Never before convicted.....	1	1	12	1	26

TABLE E—COUNTY OF SCHOHARIE

	Assault, first degree	Burglary, third degree	Man- slaughter, second degree	Mis- demeanor	Robbery, third degree	Violation Liquor Tax Law	Totals
Number reported	11						11
Males	11						11
Females	0						0
From 15 to 21 years of age	1			2	2		5
From 21 to 25 years of age	1		1				2
From 25 to 30 years of age				1		1	2
From 30 to 40 years of age		1					1
From 40 to 50 years of age		1					2
Unknown		1					2
Natives of United States	2	1		3			6
Natives of Italy			1				1
Unknown		1					2
Married	2	1	1	2	2		8
Single				1		1	2
Unknown		1					2
Can read and write	2		1	3			6
Cannot read or write							
Unknown		1					1
Had religious instruction	1		1	3	2		7
Never had religious instruction	1						2
Unknown		1					2
Parents living							
Father living	1			1			2
Mother living	1						2
Parents dead		1	1				2
Unknown		1					2
Temperate	2		1	2	2		7
Intemperate				1			1
Unknown							
Before convicted	1			2			3
Never before convicted	1		1	1	2	1	6
Unknown		1					1

TABLE E — COUNTY OF SCHUYLER

	Burglary, third degree	Mis- demeanor	Total
Number reported.....			
Males.....	2		
Females.....	1		
From 15 to 21 years of age.....	1		
From 40 to 50 years of age.....	1	1	1
Natives of United States.....	1	1	1
Married.....	1	1	1
Single.....	1		
Can read and write.....	1	1	1
Had religious instruction.....	1	1	1
Parents living.....	1		
Parents dead.....	1	1	1
Temperate.....	1	1	1
Never before convicted.....	1	1	1

TABLE E — COUNTY OF SENECA

	Assault, second degree	Burglary, third degree	Forgery, first degree	Forgery, second degree	Larceny, second degree	Mis- demeanor	Rape, second degree	Violation Liquor Tax Law	Total
Number reported.....									
Males.....									2
Females.....									3
From 21 to 25 years of age.....		1		1	2	1			3
From 25 to 30 years of age.....		1				1			5
From 30 to 40 years of age.....	1						1		1
From 40 to 50 years of age.....	1	2	1	1	3	1	1		11
Natives of United States.....									2
Natives of Italy.....									2
Married.....									1
Single.....	1	2	1	1	3	1			10
Can read and write.....	1	2	1	1	2	3			11
Cannot read or write.....					1				2
Had religious instruction.....	1	2	1		3	3	1		13
Parents living.....				1		1			5
Father living.....	1			1					1
Mother living.....		2							4
Parents dead.....			1			2			3
Temperate.....		1			1		1		5
Intemperate.....	1	1	1	1	2	1			8
Before convicted.....			1	1	2	1			6
Never before convicted.....	1	2			1	2	1		7

TABLE E — COUNTY OF SUFFOLK

	Aban- donment	Assault, first degree	Assault, second degree	Burglary, third degree	Carrying conceal- ed weapons	Forgery, second degree
Number reported.....	43					
Males.....	43					
Females.....	0					
From 15 to 21 years of age.....		1	1	3	1	1
From 21 to 25 years of age.....		1	2			
From 25 to 30 years of age.....		1	2			
From 30 to 40 years of age.....	1					
From 50 to 60 years of age.....		1				
Natives of United States.....		2	2	3		1
Natives of Italy.....		2			1	
Other foreign countries.....	1		1			
Married.....	1		2	3	1	
Single.....		2	3	3		1
Can read and write.....		3				
Cannot read or write.....	1	1				
Had religious instruction.....	1	4	2		1	
Parents living.....		1	3			1
Father living.....		1				
Mother living.....		1				
Parents dead.....	1	2				
Temperate.....		3			1	1
Intemperate.....	1	1	3		1	
Before convicted.....		2	2	3		
Never before convicted.....	1	2	1	2	1	1

TABLE E — COUNTY OF SUFFOLK — (Continued)

	Larceny, second degree	Mis- demeanor	Rape, first degree	Rape, second degree	Totals
From 15 to 21 years of age.....	.....	.....	.....	.....	9
From 21 to 25 years of age.....	1	4	.....	.....	4
From 25 to 30 years of age.....	1	5	.....	.....	9
From 30 to 40 years of age.....	3	6	1	.....	14
From 40 to 50 years of age.....	.....	5	.....	.....	5
From 50 to 60 years of age.....	.....	.....	.....	.....	1
Over 60 years of age.....	.....	1	.....	.....	1
Natives of United States.....	3	9	1	.....	22
Natives of Italy.....	.....	4	.....	.....	9
Natives of Germany.....	1	2	.....	.....	3
Natives of England.....	.....	1	.....	.....	1
Other foreign countries.....	1	5	.....	.....	6
Married.....	3	12	.....	.....	20
Single.....	2	9	1	1	23
Can read and write.....	4	19	1	.....	35
Cannot read or write.....	1	2	.....	.....	8
Had religious instruction.....	5	21	1	.....	43
Parents living.....	3	6	.....	.....	16
Father living.....	1	1	1	.....	6
Mother living.....	1	4	.....	.....	7
Parents dead.....	.....	10	.....	1	14
Temperate.....	5	18	1	.....	33
Intemperate.....	.....	3	.....	.....	10
Before convicted.....	.....	3	1	.....	8
Never before convicted.....	5	18	.....	1	35

TABLE E — COUNTY OF SULLIVAN

	Burglary, third degree	Forgery, second degree	Larceny, first degree	Larceny, second degree	Mis- demeanor	Rape, first degree	Violation Article 88, § 982	Totals
Number reported.....	19							
Males.....	18							
Females.....	1					1		2
From 15 to 21 years of age.....								1
From 21 to 25 years of age.....			1				1	2
From 25 to 30 years of age.....				9	2			11
From 30 to 40 years of age.....					1			1
From 40 to 50 years of age.....				1				1
Over 60 years of age.....								1
Unknown.....		1						1
Natives of United States.....	2	1		10	2		1	16
Natives of foreign countries.....			1		1			2
Unknown.....						1		1
Married.....	1						1	2
Single.....	1	1		7	3			12
Can read and write.....	2	1	1	3	3	1		16
Cannot read or write.....				3			1	3
Had religious instruction.....	2	1	1	9	3	1		18
Unknown.....				1				1
Parents living.....					2	1		3
Father living.....	1			2				3
Mother living.....	1	1		2				4
Parents dead.....	2		1	6	1			8
Temperate.....					3	1	1	7
Intemperate.....		1	1	10				12
Before convicted.....	1			3				4
Never before convicted.....	1	1	1	7	3	1	1	15

TABLE E—COUNTY OF TIOGA

	Abduction	Assault, second degree	Burglary, third degree	Violation Highway Law	Violation Liquor Tax Law	Totals
Number reported.....						
Males.....						1
Females.....						1
From 15 to 21 years of age.....	1		1			3
From 21 to 25 years of age.....					2	1
From 25 to 30 years of age.....		1				1
From 30 to 35 years of age.....				1		1
From 35 to 40 years of age.....					1	1
From 40 to 50 years of age.....						1
From 50 to 60 years of age.....				1		1
Over 60 years of age.....				2		2
Natives of United States.....					1	1
Natives of Italy.....	1	1			2	4
Natives of Germany.....			1			1
Married.....					3	3
Single.....	1	1	1	2		5
Can read and write.....		1	1	2		7
Cannot read or write.....	1					1
Had religious instruction.....	1	1	1	2		5
Parents living.....		1		1		2
Father living.....	1					1
Parents dead.....			1			1
Temperate.....	1		1	1		3
Intemperate.....				1		1
Before convicted.....		1		1		2
Never before convicted.....	1		1		3	5

TABLE E—COUNTY OF TOMPKINS

	Arson, third degree	Assault, second degree	Burglary, third degree	Forgery, second degree	Larceny, second degree	Man- slaughter, first degree	Mis- demeanor	Rape, second degree	Totals
Number reported.....									
Males.....									16
Females.....									14
From 15 to 21 years of age.....			3						3
From 21 to 25 years of age.....			2						2
From 25 to 30 years of age.....		1	1					1	3
From 30 to 40 years of age.....			1	1					2
From 40 to 50 years of age.....	1								1
From 50 to 60 years of age.....				2		1	1		4
Unknown.....					1				1
Natives of United States.....		1	7	3		1	1	1	14
Natives of Ireland.....	1								1
Unknown.....					1				1
Married.....	1		3	1			1		6
Single.....		1	4	2		1		1	9
Unknown.....					1				1
Can read and write.....	1	1	7	3		1	1	1	15
Unknown.....									1
Had religious instruction.....	1	1	7	3		1	1	1	15
Unknown.....									1
Parents living.....		1	3	1				1	6
Father living.....			2						2
Mother living.....			2						2
Parents dead.....	1			2		1	1		5
Unknown.....					1				1
Temperate.....	1	1	3	3			1		9
Intemperate.....			4			1		1	6
Unknown.....					1				1
Before convicted.....			3	2		1		1	7
Never before convicted.....	1	1	4	1			1		8
Unknown.....					1				1

TABLE E — COUNTY OF ULSTER

	Assault, first degree	Assault, second degree	Burglary, third degree	Carrying concealed weapons	Larceny, first degree	Larceny, second degree	Man- slaughter, second degree	Mis- demeanor	Violation Liquor Tax Law	Totals
Number reported	29									
Males	29									2
Females	0									1
From 21 to 25 years of age			1	1						3
From 25 to 30 years of age							1			3
From 30 to 40 years of age	1				1					3
From 40 to 50 years of age			1	1				10	8	20
Unknown		1					1			6
Natives of United States			2							1
Natives of Italy	1									1
Natives of Germany					1					1
Other foreign countries				1						1
Unknown		1		1				10	8	20
Married	1		2		1		1			6
Single										3
Unknown		1		1						2
Can read and write				1						7
Cannot read or write	1		2	1	1		1			2
Unknown		1						10	8	20
Had religious instruction	1		2	2	1		1			10
Unknown		1						10	8	19
Parents living				1						2
Father living			1							1
Mother living	1		1		1					4
Parents dead							1			2
Unknown		1		1				10	8	20
Temperate	1			1	1		1			6
Intemperate			2							3
Unknown		1		1				10	8	20
Before convicted			2							3
Never before convicted	1			1	1		1			6
Unknown		1		1				10	8	20

TABLE E — COUNTY OF WARREN

	Larceny, second degree	Mis- demeanor	Receiving stolen goods	Robbery, second degree	Totals
Number reported.....					3
Males.....					2
Females.....					1
Under 15 years of age.....		3			
From 21 to 25 years of age.....	1	1			
From 30 to 40 years of age.....				1	
From 50 to 60 years of age.....			1		
Natives of United States.....	1	4		1	6
Natives of foreign countries.....			1		1
Married.....			1		2
Single.....	1				5
Can read and write.....	1	4			7
Had religious instruction.....	1	4	1		7
Parents living.....		4			4
Father living.....	1				1
Parents dead.....			1		2
Temperate.....	1	4	1		7
Before convicted.....			1		1
Never before convicted.....	1	4		1	6

TABLE E — COUNTY OF WASHINGTON

	Aban- donment	Arson, third degree	Assault, second degree	Bigamy	Burglary, third degree	Carrying concealed weapons	Conspiracy
Number reported.....							.
Males.....							
29							
27							
2							
Females.....							
From 15 to 21 years of age.....			1	1	1		
From 21 to 25 years of age.....			1		1		
From 25 to 30 years of age.....					1		2
From 30 to 40 years of age.....	1					1	
From 40 to 50 years of age.....	1						
From 50 to 60 years of age.....	2		2	1	2		2
Natives of United States.....							
Natives of Italy.....						1	
Other foreign countries.....					1		
Married.....	2		1	1	1		2
Single.....			1		2	1	
Can read and write.....	2		2	1	3		2
Had religious instruction.....	2		2	1	3		1
Never had religious instruction.....							1
Parents living.....			2		1		1
Father living.....				1	1		
Mother living.....	1						1
Parents dead.....	1					1	
Temperate.....					1		2
Intemperate.....	2		2		1		
Before convicted.....			2		1		1
Never before convicted.....	2			1	2		1

TABLE E — COUNTY OF WASHINGTON — (Continued)

	Escaping prisoner	Forgery, third degree	Larceny, second degree	Mis- deemeanor	Violation Liquor Tax Law	Totals
From 15 to 21 years of age.	.....	.....	1	1	.....	3
From 21 to 25 years of age.	.....	1	.....	.....	.....	4
From 25 to 30 years of age.	.....	.....	.....	.....	.....	3
From 30 to 40 years of age.	.....	.....	.....	3	4	10
From 40 to 50 years of age.	.....	.....	.....	.....	3	5
From 50 to 60 years of age.	.....	.....	.....	1	2	4
From 50 to 60 years of age.	.....	.....	.....	5	7	24
Natives of United States.	1	1	.....	.....	.....	3
Natives of Italy.	.....	.....	.....	.....	.....	2
Other foreign countries.	.....	.....	1	.....	.....	2
Married.	1	.....	.....	4	.....	19
Single.	.....	1	.....	1	3	10
Can read and write.	.....	1	1	5	9	29
Had religious instruction.	1	1	1	5	8	27
Never had religious instruction.	.....	.....	.....	.....	1	2
Parents living.	1	1	1	.....	1	8
Father living.	.....	.....	.....	.....	1	3
Mother living.	.....	.....	.....	3	5	11
Parents dead.	.....	.....	.....	2	2	7
Temperate.	1	1	.....	3	6	18
Intemperate.	.....	.....	.....	2	3	11
Before convicted.	1	.....	.....	.....	3	9
Never before convicted.	.....	1	1	5	6	20

TABLE E.—COUNTY OF WAYNE

	Assault, second degree	Forgery, second degree	Larceny, second degree	Mis- demeanor	Murder, second degree	Violation Liquor Tax Law	Totals
Number reported.....	11						11
Males.....	11						11
Females.....	0						0
From 15 to 21 years of age.....		1	1	1			3
From 21 to 25 years of age.....			2		1		3
From 30 to 40 years of age.....	1					1	2
From 40 to 50 years of age.....							
From 50 to 60 years of age.....	1	1	3	1		2	6
Natives of United States.....				1	1		2
Natives of Italy.....				1			1
Other foreign countries.....				1			1
Married.....	1		2	1	1	1	6
Single.....		1	1	2			4
Can read and write.....	1	1	3	3	1	2	11
Had religious instruction.....	1	1	3	3	1	2	11
Parents living.....			2	1		1	4
Father living.....				1			1
Mother living.....		1	1		1		3
Parents dead.....	1			1		1	3
Temperate.....	1		3	2	1	2	9
Intemperate.....		1		1			2
Never before convicted.....	1	1	3	3	1	2	11

TABLE E — COUNTY OF WESTCHESTER

	Aban- donment	Abduction	Assault, first degree	Assault, second degree	Burglary, second degree	Burglary, third degree	Carrying concealed weapons	Escaping prisoner
Number reported.....	259							
Males.....	250							
Females.....	9	1	2			9	4	2
From 15 to 21 years of age.....			3	9		6	5	
From 21 to 25 years of age.....	1		3	7	3	3	3	
From 25 to 30 years of age.....	1			5	2	8		
From 30 to 40 years of age.....	1	1				1		
From 40 to 50 years of age.....	5							
From 50 to 60 years of age.....	2							
From 60 to 69 years of age.....	7	2	5	11	2	15	4	1
Natives of United States.....	1		3	7		2	5	
Natives of Italy.....					1	1		
Natives of Germany.....								
Natives of Ireland.....				1				
Other foreign countries.....	2				2	9	3	1
Married.....	8	2	2	8	2	6	3	
Single.....	2		6		3	21	9	2
Can read and write.....	10	2	8	13	4	25	10	2
Cannot read or write.....				19	1	2	2	
Had religious instruction.....	10	2		21	5	27	12	2
Parents living.....	2	1	2	9	3	6	5	1
Father living.....	1		2	2		3	1	1
Mother living.....	4	1	1	4	2	9	2	
Parents dead.....	3		2	6		7	4	
Unknown.....			1			2		
Temperate.....	9	2	1	18		27	12	9
Intemperate.....	1		8		8			
Before convicted.....		1		3	2			
Never before convicted.....	10	1	7	15	4	24	5	2
		1	1	6	1	3	7	

TABLE E.—COUNTY OF WESTCHESTER—(Continued)

				Larceny, first degree
Pro	.....	.....	.....	.....
Pro	.....	.....	.....	.....
Pro	.....	.....	.....	.....
Pro	.....	.....	.....	.....
Pro	.....	.....	.....	.....
Pro	.....	.....	.....	.....
Unknown	.....	.....	.....	.....
Natives of United States	.....	4	1	.....
Natives of Italy	.....	.....	.....	.....
Natives of Germany	.....	.....	.....	.....
Natives of England	.....	.....	.....	.....
Natives of Ireland	.....	.....	.....	.....
Other foreign countries	.....	1	.....	.....
Unknown	.....	.....	.....	.....
Married	.....	1	1	.....
Single	.....	4	.....	.....
Unknown	.....	.....	.....	.....
Can read and write	.....	6	1	.....
Cannot read or write	.....	.....	.....	.....
Unknown	.....	.....	.....	.....
Had religious instruction	.....	5	1	.....
Never had religious instruction	.....	.....	.....	.....
Unknown	.....	.....	.....	.....
Parents living	.....	2	.....	.....
Father living	.....	1	.....	.....
Mother living	.....	2	.....	.....
Parents dead	.....	.....	1	.....
Unknown	.....	.....	.....	.....
Temperate	.....	6	1	.....
Intemperate	.....	.....	.....	.....
Unknown	.....	.....	.....	.....
Before convicted	.....	2	.....	.....
Never before convicted	.....	3	1	.....
Unknown	.....	.....	.....	.....

TABLE E—COUNTY OF WYOMING

	Aban- donment	Assault, first degree	Burglary, third degree	Forgery, second degree	Larceny, second degree	Mis- demeanor	Receiving stolen goods	Violation Liquor Tax Law	Violation Article 88, § 970	Totals
Number reported.....										2256
Males.....	18									18
Females.....	0									0
From 15 to 21 years of age.....		1	2		1	1		1		5
From 21 to 25 years of age.....			1					2		2
From 25 to 30 years of age.....	1	1	1						1	3
From 30 to 40 years of age.....				1						1
From 40 to 50 years of age.....										
From 50 to 60 years of age.....			1							1
Over 60 years of age.....		2	4	1	1	1	2	1	1	12
Natives of United States.....	1									1
Natives of Italy.....								1		1
Natives of Germany.....			1							1
Other foreign countries.....								3		3
Married.....	1		1	1		1	2		1	6
Single.....		2	4		1					7
Can read and write.....	1	1	5	1	1	1	2	1	1	13
Cannot read or write.....		1								1
Had religious instruction.....	1	2	5	1	1	1	2	4	1	16
Parents living.....			1							1
Father living.....		1								1
Mother living.....			2		1			1		3
Parents dead.....	1	1	2	1				2	1	6
Temperate.....	1	2	3	1		1	2	4		14
Intemperate.....			2							2
Before convicted.....		1	3		1			1		5
Never before convicted.....	1	1	3	1	1	1	2	3	1	14

TABLE E — COUNTY OF YATES

	Escaping prisoner	Violation Liquor Tax Law	Totals
Number reported.....			
Males.....			2
Females.....			2
From 15 to 21 years of age.....		1	0
From 40 to 50 years of age.....		1	
Natives of United States.....			
Natives of Italy.....			
Married.....			
Single.....			
Can read and write.....			
Cannot read or write.....			
Had religious instruction.....			
Parents dead.....			
Temperate.....			
Before convicted.....			

TABLE F
Condensation of Abstract E

	Number reported	Males	Females	Under 15 years of age	From 15 to 21 years of age	From 21 to 25 years of age	From 25 to 30 years of age	From 30 to 40 years of age
Albany.....	92	88	4	.....	10	22	21	25
Allegany.....	12	12	.....	.....	.....	1	6	1
Bronx.....	378	358	20	.....	161	75	69	45
Broome.....	103	95	8	.....	25	18	17	22
Cattaraugus.....	78	75	3	.....	16	13	5	22
Cayuga.....	34	33	1	.....	7	6	7	10
Chautauqua.....	28	26	2	.....	3	8	.....	12
Chemung.....	57	53	4	.....	12	10	.....	16
Chenango.....	28	25	3	.....	4	4	5	9
Clinton.....	32	28	4	.....	7	7	6	4
Columbia.....	12	11	1	.....	4	2	2	3
Cortland.....	18	17	1	.....	4	6	3	3
Delaware.....	5	4	1	.....	5	1	1	.....
Dutchess.....	79	72	7	.....	1	7	6	13
Erie.....	445	430	15	.....	29	101	119	90
Essex.....	23	22	1	.....	103	2	7	5
Franklin.....	52	46	6	.....	2	9	5	12
Fulton.....	18	17	1	.....	8	4	3	4
Genesee.....	17	17	.....	.....	2	3	2	4
Greene.....	8	8	.....	.....	6	3	1	1
Hamilton.....	1	1	.....	.....	4	1	.....	.....
Herkimer.....	70	65	5	.....	.....	.....	.....	23
Jefferson.....	83	82	1	.....	13	10	13	17
Kings.....	1,424	1,370	54	.....	16	10	16	343
Lewis.....	15	10	5	.....	388	272	227	4
Livingston.....	24	22	2	.....	4	1	2	5
Madison.....	16	16	.....	.....	4	7	6	7
Monroe.....	133	132	1	.....	1	1	2	26
Montgomery.....	30	29	1	.....	29	27	32	6
Nassau.....	101	94	7	.....	5	8	6	17
New York.....	2,823	2,689	134	.....	21	23	16	582
Niagara.....	105	100	5	900	548	545	17
Oneida.....	150	135	15	19	25	20	34
Onondaga.....	195	190	5	32	23	36	47

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Ontario.....	54	53	1	13
Orange.....	96	89	6	23
Orleans.....	9	9	1
Oswego.....	68	64	4	22
Otsego.....	13	11	2	5
Putnam.....	12	10	2	.....	3
Queens.....	140	133	7	.....	23
Rensselaer.....	46	36	9	.....	12
Richmond.....	72	60	8	.....	16
Rockland.....	33	33	.....	.....	6
St. Lawrence.....	114	106	6	.....	19
Saratoga.....	31	26	5	.....	9
Schenectady.....	33	33	.....	.....	14
Schoharie.....	11	11	.....	.....	.....
Schuyler.....	2	1	1	.....	.....
Seneca.....	13	13	.....	.....	3
Steuben.....	56	51	4	.....	8
Suffolk.....	43	43	.....	.....	14
Sullivan.....	19	18	1	.....	11
Tioga.....	8	8	.....	.....	.....
Tompkins.....	16	14	2	.....	3
Ulster.....	29	29	.....	.....	3
Warren.....	7	6	1	.....	.....
Washington.....	29	27	2	.....	10
Wayne.....	11	11	.....	.....	4
Westchester.....	250	250	9	.....	61
Wyoming.....	18	18	.....	.....	8
Yates.....	2	2	.....	.....	.....
	7,990	7,548	382	.....	1,717

TABLE F — CONDENSATION OF ABSTRACT E — (Continued)

	From 40 to 50 years of age	From 50 to 60 years of age	Over 60 years of age	Unknown	Married	Single	Unknown	Natives of United States
Albany.....	5	9	.....	.....	39	53	.....	66
Allegany.....	.....	2	1	.....	5	7	.....	10
Bronx.....	20	7	1	.....	99	279	.....	218
Broome.....	11	10	.....	.....	34	69	.....	61
Cattaraugus.....	11	7	.....	4	37	37	4	49
Cayuga.....	1	.....	.....	3	10	21	3	.....
Chautauqua.....	4	1	.....	.....	15	13	.....	11
Chemung.....	9	2	.....	.....	27	30	.....	39
Chenango.....	3	2	.....	.....	17	11	.....	26
Clinton.....	2	2	.....	6	11	15	6	17
Columbia.....	2	.....	.....	.....	4	8	.....	10
Cortland.....	1	.....	.....	.....	12	6	.....	15
Delaware.....	1	.....	.....	.....	2	3	.....	4
Dutchess.....	10	1	2	2	24	53	2	57
Erie.....	10	1	1	.....	179	266	.....	31
Essex.....	1	.....	.....	1	8	14	1	15
Franklin.....	1	1	.....	2	20	30	2	32
Fulton.....	4	4	.....	.....	7	11	.....	14
Genesee.....	.....	.....	1	.....	4	13	.....	12
Greene.....	.....	.....	.....	.....	1	7	.....	6
Hamilton.....	.....	.....	.....	.....	.....	1	.....	.....
Herkimer.....	.....	1	.....	.....	.....	34	.....	35
Jefferson.....	.....	3	.....	.....	30	30	.....	.....
Kings.....	10	12	.....	.....	483	941	.....	1,016
Lewis.....	1	.....	.....	.....	6	9	.....	14
Livingston.....	.....	.....	.....	.....	10	14	.....	18
Madison.....	.....	.....	.....	.....	9	7	.....	12
Monroe.....	1	1	.....	1	46	37	.....	37
Montgomery.....	1	.....	.....	.....	17	13	.....	18
Nassau.....	1	.....	.....	.....	47	34	.....	38
New York.....	17	6	3	1	89	1,030	1	1,700
Niagara.....	1	.....	.....	.....	11	39	.....	29
Oneida.....	1	1	.....	3	11	31	3	21
Onondaga.....	1	1	.....	.....	66	106	.....	127
Ontario.....	2	1	.....	.....	50	24	.....	46
Orange.....	10	10	.....	.....	30	49	.....	86
Orleans.....	.....	.....	.....	.....	46	9	.....	8
Oswego.....	10	.....	1	.....	46	23	.....	41

TABLE E.—COUNTY OF WAYNE

	Assault, second degree	Forgery, second degree	Larceny, second degree	Mis- demeanor	Murder, second degree	Violation Liquor Tax Law	Totals
Number reported.....							11
Males.....							11
Females.....							0
From 15 to 21 years of age.....			1	1			2
From 21 to 25 years of age.....			2				2
From 30 to 40 years of age.....	1				1		2
From 40 to 50 years of age.....							
From 50 to 60 years of age.....	1		3	1		2	5
Natives of United States.....				1			1
Natives of Italy.....				1	1		2
Other foreign countries.....				1			1
Married.....	1		2	1			4
Single.....		1	1	2			4
Can read and write.....	1	1	3	3			8
Had religious instruction.....	1	1	3	3			8
Parents living.....			2	1			3
Father living.....				1			1
Mother living.....		1	1				2
Parents dead.....	1						1
Temperate.....	1		3	2			6
Intemperate.....		1		1			2
Never before convicted.....	1	1	3	3			8

TABLE E — COUNTY OF WESTCHESTER

	Aban- donment	Abduction	Assault, first degree	Assault, second degree	Burglary, second degree	Burglary, third degree	Carrying concealed weapons	Escaping prisoner
Number reported.....	259							
Males.....	250							
Females.....	9	1	2	9		9	4	2
From 15 to 21 years of age.....			3	7		6	5	
From 21 to 25 years of age.....	1		3	7	3	3	3	
From 25 to 30 years of age.....	1	1		5	2	8		
From 30 to 40 years of age.....	5					1		
From 40 to 50 years of age.....	2							
From 50 to 60 years of age.....	7	2	5	11	2	15	4	1
Natives of United States.....	1		3	7		2	5	
Natives of Italy.....					1	1		
Natives of Germany.....								
Natives of Ireland.....				1				
Other foreign countries.....	2			2	2	9	3	1
Married.....	8	2	2	8	2	6	3	
Single.....	2		6	13	3	21	9	2
Can read and write.....	10	2	8	19	4	25	10	2
Cannot read or write.....				2	1	2	2	
Had religious instruction.....	10	2		21	5	27	12	2
Parents living.....	2	1	8	9	3	6	5	1
Father living.....	1		2	2		3	1	1
Mother living.....	4	1	1	4	2	9	2	
Parents dead.....	3		2	6		7	4	
Unknown.....			1			2		
Temperate.....	9	2	8	18	8	27	12	2
Intemperate.....	1			3	2			
Before convicted.....		1	7	15	4	24	5	2
Never before convicted.....	10	1	1	6	1	3	7	

TABLE E — COUNTY OF WESTCHESTER — (Continued)

	Forgery, second degree	Forgery, third degree	Larceny, first degree	Larceny second degree	Man- slaughter, second degree	Mis- demeanor	Perjury	Rape, first degree
From 15 to 21 years of age.....	1	.....	2	7	.....	15	1	1
From 21 to 25 years of age.....	1	.....	.....	3	.....	9	.....	.....
From 25 to 30 years of age.....	2	.....	2	8	1	18	.....	.....
From 30 to 40 years of age.....	.....	.....	.....	2	.....	27	.....	.....
From 40 to 50 years of age.....	1	.....	1	1	.....	21	.....	1
From 50 to 60 years of age.....	.....	1	1	.....	.....	.....	1	.....
Unknown.....	.....	.....	.....	1	.....	.....	.....	.....
Natives of United States.....	4	1	5	15	1	27	2	1
Natives of Italy.....	.....	.....	.....	.....	.....	33	.....	.....
Natives of Germany.....	.....	.....	.....	2	.....	6	.....	.....
Natives of England.....	.....	.....	.....	1	.....	.....	.....	.....
Natives of Ireland.....	.....	.....	.....	1	.....	.....	.....	1
Other foreign countries.....	1	.....	1	2	.....	24	.....	.....
Unknown.....	.....	.....	.....	1	.....	.....	.....	.....
Married.....	1	1	3	6	1	41	1	2
Single.....	4	.....	3	15	.....	49	1	.....
Unknown.....	.....	.....	.....	1	.....	.....	.....	.....
Can read and write.....	5	1	6	21	1	84	2	3
Cannot read or write.....	.....	.....	.....	.....	.....	6	.....	.....
Unknown.....	5	1	6	1	.....	89	2	2
Had religious instruction.....	.....	.....	.....	21	1	1	.....	.....
Never had religious instruction.....	.....	.....	.....	.....	.....	.....	.....	.....
Unknown.....	.....	.....	.....	1	.....	33	2	.....
Parents living.....	2	.....	1	10	.....	14	.....	1
Father living.....	1	.....	2	6	.....	12	.....	1
Mother living.....	2	.....	.....	5	1	30	.....	.....
Parents dead.....	.....	1	2	.....	.....	1	.....	.....
Unknown.....	.....	.....	1	.....	.....	87	2	.....
Temperate.....	5	1	6	20	1	8	.....	.....
Intemperate.....	.....	.....	.....	1	.....	.....	.....	.....
Unknown.....	.....	.....	.....	1	.....	.....	.....	.....
Before convicted.....	2	.....	3	14	.....	17	.....	.....
Never before convicted.....	3	1	3	7	1	73	2	2
Unknown.....	.....	.....	.....	1	.....	.....	.....	.....

TABLE E—COUNTY OF WESTCHESTER—(Continued)

	Rape, second degree	Robbery, third degree	Violation Highway Law	Violation Health Law	Violation Liquor Tax Law	Violation Article 88, § 970	Violation Article 178 § 1991	Totals
From 15 to 21 years of age.....	1	4	.....	1	.....	.....	.....	61
From 21 to 25 years of age.....	.....	.....	.....	.....	2	.....	.....	39
From 25 to 30 years of age.....	.....	2	.....	.....	.....	.....	.....	54
From 30 to 40 years of age.....	2	.....	.....	1	10	1	1	61
From 40 to 50 years of age.....	.....	.....	.....	.....	0	1	.....	41
From 50 to 60 years of age.....	.....	.....	.....	.....	5	.....	.....	10
Over 60 years of age.....	.....	.....	.....	.....	2	.....	.....	2
Unknown.....	.....	.....	.....	.....	.....	.....	.....	1
Natives of United States.....	2	6	.....	1	.....	2	.....	120
Natives of Italy.....	.....	.....	1	3	15	.....	.....	68
Natives of Germany.....	.....	.....	.....	.....	2	.....	.....	13
Natives of England.....	.....	.....	.....	.....	.....	.....	.....	1
Natives of Ireland.....	1	.....	.....	.....	4	.....	1	6
Other foreign countries.....	.....	.....	.....	.....	.....	.....	.....	51
Unknown.....	2	.....	.....	.....	23	2	.....	116
Married.....	1	6	1	1	5	.....	1	143
Single.....	.....	.....	.....	.....	.....	.....	.....	1
.....	3	.....	.....	2	27	2	1	242
.....	.....	1	1	.....	1	.....	.....	16
.....	3	6	1	2	28	2	1	257
.....	.....	.....	.....	.....	.....	.....	.....	1
.....	.....	.....	.....	.....	.....	.....	.....	1
.....	.....	.....	.....	.....	.....	.....	.....	1
.....	2	3	1	1	2	.....	.....	84
.....	1	2	.....	.....	3	.....	.....	41
.....	.....	.....	.....	1	7	.....	1	54
.....	.....	1	.....	.....	16	3	.....	74
.....	.....	.....	.....	.....	.....	.....	.....	6
.....	3	6	1	2	28	2	1	243
.....	.....	.....	.....	.....	.....	.....	.....	10
.....	.....	.....	.....	.....	.....	.....	.....	1
.....	1	4	.....	1	5	.....	1	108
.....	2	2	1	1	23	2	.....	163
.....	.....	.....	.....	.....	.....	.....	.....	1

.....
 Mother living.....
 Parents dead.....
 Unknown.....
 Temperate.....
 Intemperate.....
 Unknown.....
 Before convicted.....
 Never before convicted.....
 Unknown.....

TABLE E—COUNTY OF WYOMING

	Aban- donment	Assault, first degree	Burglary, third degree	Forgery, second degree	Larceny, second degree	Mis- demeanor	Receiving stolen goods	Violation Liquor Tax Law	Violation Article 88 § 970	Totals
Number reported.....										18
Males.....										18
Females.....			2		1	1		1		0
From 15 to 21 years of age.....		1	1							
From 21 to 25 years of age.....		1	1				2	2	1	
From 30 to 40 years of age.....	1			1						
From 40 to 50 years of age.....			1							
From 50 to 60 years of age.....										
Over 60 years of age.....		2	4	1	1	1	2	1	1	
Natives of United States.....	1									
Natives of Italy.....			1					1		
Natives of Germany.....										
Other foreign countries.....			1	1				3		
Married.....	1		1			1	2	3	1	
Single.....		2	4		1			1		
Can read and write.....	1	1	5	1	1	1	2	1	1	
Cannot read or write.....		1						3		
Had religious instruction.....	1	2	5	1			2	4	1	
Parents living.....			1			1	2	1		
Father living.....		1								
Mother living.....			2		1			1	1	
Parents dead.....	1	1	2	1				2		
Temperate.....	1	2	3	1		1	2	4	1	
Intemperate.....			2							
Before convicted.....		1	2					1		
Never before convicted.....	1	1	3	1	1	1	2	3	1	

TABLE E — COUNTY OF YATES

	Escaping prisoner	Violation Liquor Tax Law	Totals
Number reported.....			
Males.....	2		
Females.....	2		
From 15 to 21 years of age.....	0	1	
From 40 to 50 years of age.....		1	
Natives of United States.....			
Natives of Italy.....			
Married.....			
Single.....		1	
Can read and write.....		1	
Cannot read or write.....			
Had religious instruction.....			
Parents dead.....		1	
Temperate.....		1	
Before convicted.....		1	

TABLE F
Condensation of Abstract E

	Number reported	Males	Females	Under 15 years of age	From 15 to 21 years of age	From 21 to 25 years of age	From 25 to 30 years of age	From 30 to 40 years of age
Albany.....	92	88	4	.....	10	22	21	25
Allegany.....	12	12	.....	1	.....	1	6	1
Bronx.....	378	358	20	.....	161	75	69	45
Broome.....	103	95	8	.....	25	18	17	22
Cattaraugus.....	78	75	3	.....	16	13	5	22
Cayuga.....	34	33	1	.....	7	6	7	10
Chautauqua.....	28	26	2	.....	3	8	.....	12
Chemung.....	57	53	4	.....	12	10	8	16
Chenango.....	28	25	3	.....	4	4	5	9
Clinton.....	32	28	4	.....	7	7	6	4
Columbia.....	12	11	1	.....	4	2	2	3
Cortland.....	18	17	1	.....	5	6	3	3
Delaware.....	5	4	1	.....	1	1	1	.....
Dutchess.....	79	72	7	.....	29	7	6	13
Erie.....	445	430	15	.....	103	101	119	90
Essex.....	23	22	1	.....	2	2	7	5
Franklin.....	52	46	6	.....	8	9	5	12
Fulton.....	18	17	1	.....	2	4	3	4
Genesee.....	17	17	.....	.....	6	3	2	4
Greene.....	8	8	.....	.....	4	1	1	1
Hamilton.....	1	1	.....	.....	.....	.....	.....	.....
Herkimer.....	70	65	5	.....	13	10	13	23
Jefferson.....	83	82	1	.....	16	10	16	17
Kings.....	1,424	1,370	54	.....	388	272	227	343
Lewis.....	15	10	5	.....	4	1	2	4
Livingston.....	24	22	2	.....	4	7	6	5
Madison.....	16	16	.....	.....	1	1	2	7
Monroe.....	133	132	1	.....	29	27	32	26
Montgomery.....	30	29	1	.....	5	8	6	5
Nassau.....	101	94	7	.....	21	23	16	17
New York.....	2,823	2,689	134	.....	900	548	545	582
Niagara.....	105	100	5	.....	19	25	20	17
Oneida.....	150	135	15	.....	32	23	36	34
Onondaga.....	195	190	5	.....	28	41	35	47

Ontario.....	54	13
Orange.....	99	23
Orleans.....	9	1
Oswego.....	68	23
Otsego.....	18	5
Putnam.....	12	2
Queens.....	140	23
Rensselaer.....	45	13
Richmond.....	72	16
Rockland.....	33	6
St. Lawrence.....	114	19
Saratoga.....	31	9
Schenectady.....	33	14
Schoharie.....	11	.....
Schuyler.....	2	.....
Seneca.....	13	3
Steuben.....	55	3
Suffolk.....	43	14
Sullivan.....	19	11
Tioga.....	8	.....
Tompkins.....	16	3
Ulster.....	29	3
Warren.....	7	.....
Washington.....	29	10
Wayne.....	11	4
Westchester.....	259	61
Wyoming.....	18	3
Yates.....	2	.....
	7,980	1,717

TABLE F — CONDENSATION OF ABSTRACT E — (Continued)

	Foreigners	Unknown	Can read and write	Can read only	Cannot read or write	Unknown	Parents living	Father living
Albany.....	26	.....	91	.....	1	.....	33	13
Allegany.....	2	.....	8	.....	4	.....	2	1
Bronx.....	160	.....	370	1	7	.....	187	39
Broome.....	42	.....	92	.....	11	.....	37	14
Cattaraugus.....	29	.....	66	.....	12	.....	28	4
Cayuga.....	1	33	26	.....	5	3	12	3
Chautauqua.....	17	.....	23	.....	5	.....	12	3
Chemung.....	18	.....	54	.....	3	.....	20	7
Chenango.....	2	.....	26	.....	2	.....	6	7
Clinton.....	9	6	25	.....	1	6	10	3
Columbia.....	2	.....	11	.....	1	.....	8	.....
Cortland.....	3	.....	18	.....	.....	.....	10	1
Delaware.....	1	.....	3	.....	2	.....	2	.....
Dutchess.....	20	2	77	.....	.....	2	34	11
Erie.....	144	.....	431	.....	14	.....	229	42
Essex.....	7	1	17	.....	5	1	7	6
Franklin.....	.....	.....	47	.....	2	3	22	8
Fulton.....	4	.....	18	.....	.....	.....	8	3
Genesee.....	5	.....	14	.....	3	.....	6	4
Greene.....	2	.....	8	.....	.....	.....	5	1
Hamilton.....	1	.....	1	.....	.....	.....	.....	.....
Herkimer.....	35	.....	57	.....	13	.....	21	8
Jefferson.....	.....	83	79	.....	4	.....	25	8
Kings.....	414	.....	1,382	.....	42	.....	588	113
Lewis.....	1	.....	15	.....	.....	.....	4	2
Livingston.....	6	.....	21	.....	3	.....	11	.....
Madison.....	3	.....	16	.....	.....	.....	4	2
Monroe.....	46	.....	130	.....	3	.....	57	17
Montgomery.....	12	.....	26	.....	4	.....	17	4
Nassau.....	43	.....	94	.....	7	.....	39	13
New York.....	1,031	2	2,732	.....	90	1	1,401	328
Niagara.....	46	.....	98	.....	7	.....	33	16
Oneida.....	79	.....	103	.....	44	3	58	14
Onondaga.....	68	182	13	62	29
Ontario.....	12	48	6	12	8
Orange.....	15	91	4	29	19
Orleans.....	1	9	4
Oswego.....	24	57	11	23	7

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	2,692	7,440	1	401	88	3,409	887
Otsego.....	12	1	7	1
Putnam.....	3	11	1	5
Queens.....	35	132	8	49	26
Rensselaer.....	10	45	13	3
Richmond.....	27	68	.....	4	.....	24	8
Rockland.....	10	31	.....	1	.....	9	1
St. Lawrence.....	44	107	.....	6	1	50	14
Saratoga.....	11	28	.....	3	.....	7	4
Schenectady.....	26	31	.....	2	.....	16	3
Schoharie.....	1	9	.....	1	1	2	4
Schuylcr.....	.....	2	.....	.....	.....	1	.....
Seneca.....	2	11	.....	2	.....	5	1
Steuben.....	14	49	.....	6	.....	18	5
Suffolk.....	21	35	.....	8	.....	16	6
Sullivan.....	2	16	.....	3	.....	4	3
Tioga.....	4	7	.....	1	.....	4	.....
Tompkins.....	1	15	.....	1	.....	6	2
Ulster.....	3	6	.....	3	20	2	1
Warren.....	1	7	.....	.....	.....	4	1
Washington.....	5	29	.....	.....	.....	8	3
Wayne.....	3	11	.....	.....	.....	4	1
Westchester.....	138	242	.....	16	1	84	41
Wyoming.....	5	14	.....	4	.....	5	1
Yates.....	1	1	.....	1	.....	.....	.....
	2,692	7,440	1	401	88	3,409	887

TABLE F — CONDENSATION OF ABSTRACT E — (Continued.)

	Mother living	Parents dead	Unknown	Temperate	Inter- perate	Unknown	Before convicted	Never before convicted	Unknown
Albany.....	19	27	.....	82	10	.....	27	65	.....
Allegany.....	3	6	.....	10	2	.....	3	9	.....
Bronx.....	96	54	.....	377	1	.....	138	233	.....
Broome.....	26	25	.....	62	41	.....	39	64	.....
Cattaraugus.....	19	23	.....	64	9	.....	27	47	.....
Cayuga.....	8	8	.....	21	9	.....	20	10	.....
Chautauqua.....	6	7	.....	22	6	.....	11	17	.....
Chemung.....	10	19	.....	40	17	.....	24	33	.....
Chenango.....	7	8	.....	14	14	.....	14	14	.....
Clinton.....	3	9	.....	16	10	.....	8	18	.....
Columbia.....	1	3	.....	8	4	.....	3	6	.....
Cortland.....	2	6	.....	14	4	.....	8	10	.....
Delaware.....	1	2	.....	5	.....	.....	2	3	.....
Dutchess.....	11	18	.....	62	15	.....	87	50	.....
Erie.....	90	88	.....	407	38	.....	237	208	.....
Essex.....	6	8	.....	11	11	.....	6	16	.....
Franklin.....	8	11	.....	86	13	.....	16	38	.....
Fulton.....	6	1	.....	15	3	.....	7	11	.....
Genesee.....	2	5	.....	18	4	.....	6	11	.....
Greene.....	.....	2	.....	6	2	.....	1	7	.....
Hamilton.....	.....	1	.....	.....	1	.....	.....	1	.....
Herkimer.....	17	24	.....	61	9	.....	.....	42	.....
Jefferson.....	20	30	.....	48	35	.....	.....	36	.....
Kings.....	399	391	.....	1,378	46	.....	452	971	.....
Lewis.....	6	3	.....	7	7	.....	5	10	.....
Livingston.....	7	5	.....	17	7	.....	7	17	.....
Madison.....	6	4	.....	9	7	.....	2	14	.....
Monroe.....	26	30	.....	118	15	.....	59	74	.....
Montgomery.....	4	5	.....	24	6	.....	25	5	.....
Nassau.....	23	25	.....	109	1	.....	29	72	.....
New York.....	591	503	.....	2,820	2	.....	1,095	1,728	.....
Niagara.....	22	32	.....	105	.....	.....	26	79	.....
Oneida.....	33	41	.....	119	28	.....	28	119	.....
Onondaga.....	40	59	.....	167	38	.....	93	132	.....
Ontario.....	12	22	.....	25	19	.....	11	48	.....
Orange.....	14	23	.....	87	8	.....	27	68	.....
Orleans.....	1	4	.....	5	1	.....	4	5	.....
Oswego.....	15	23	.....	53	15	.....	22	46	.....

Otsego.....	1	4	.....	10	3	.....	5	7	1
Putnam.....	1	6	.....	11	1	.....	2	10	.....
Queens.....	30	35	.....	119	21	.....	74	66	.....
Rensselaer.....	6	21	2	31	13	1	12	32	1
Richmond.....	15	21	4	63	4	.....	18	54	.....
Rockland.....	7	16	.....	31	2	.....	9	24	.....
St. Lawrence.....	11	38	1	106	7	1	33	75	1
Saratoga.....	9	11	.....	26	5	.....	7	23	1
Schenectady.....	4	10	.....	30	3	.....	7	26	.....
Schoharie.....	2	2	1	8	2	1	4	6	1
Schuyler.....	.....	1	.....	2	.....	.....	.....	2	.....
Seneca.....	4	3	.....	.....	8	.....	.....	7	.....
Steuben.....	10	22	.....	3	19	.....	19	36	1
Suffolk.....	7	14	.....	33	10	.....	8	35	.....
Sullivan.....	4	8	.....	7	12	.....	4	15	.....
Tioga.....	1	3	.....	6	2	1	3	6	.....
Tompkins.....	2	5	1	9	6	20	7	8	1
Ulster.....	4	2	20	6	3	.....	8	6	20
Warren.....	.....	2	.....	7	.....	.....	1	6	.....
Washington.....	11	27	.....	18	11	.....	9	20	.....
Wayne.....	3	7	.....	9	2	.....	.....	11	.....
Westchester.....	54	74	6	248	10	1	106	153	1
Wyoming.....	5	7	.....	15	3	.....	4	14	.....
Yates.....	.....	2	.....	2	.....	.....	2	.....	.....
	1,751	1,801	82	7,274	605	51	2,902	4,964	64

TABLE G

*Summary of Occupations Exhibiting Results of the Returns from
Each County for the Year 1917.*

OCCUPATION	Number	OCCUPATION	Number
Accountants	6	Car inspector	1
Acrobat	1	Car repairer	1
Actors	11	Carpenters	100
Actresses	5	Carpet layers	2
Adjusters	2	Cartoonist	1
Advertisement writer	1	Cashiers	6
Agents	8	Casket trimmers	2
Air brakeman	1	Caster	1
Apprentices	3	Cattle dealers	2
Artists	10	Cotton worker	1
Asphalt worker	1	Cement workers	3
Assemblers	2	Chandeller worker	1
Assemblyman	1	Chauffeurs	231
Attendants	2	Checkers	10
Auctioneers	2	Cheese maker	1
Author	1	Chefs	12
Auto finisher	1	Chemists	5
Automobile dealers	4	Cigar dealers	6
Automobile repairers	12	Cigarette maker	1
Automobile trimmer	1	Cigarmakers	5
Automobile washers	3	Civil engineers	4
Awning makers	4	Cleaners	7
Bakers	48	Clergymen	3
Ball player	1	Clerks	413
Bank examiner	1	Cloak makers	6
Barbers	81	Clothiers	3
Bar boy	1	Clothing cutters	2
Bartenders	100	Coachmen	3
Baymen	4	Coal carriers	2
Bell boys	17	Coal dealers	4
Beltmaker	1	Coat maker	1
Bicycle repairers	2	Cobblers	2
Billiards	1	Code interpreter	1
Blacksmiths	27	Coffee dealer	1
Boarding house keepers	18	Collectors	7
Boat builder	1	Compositors	4
Boatmen	13	Concrete worker	1
Boilermakers	17	Conductors	18
Bookbinders	10	Constructors	4
Bookkeepers	29	Contractors	18
Book seller	1	Cooks	73
Bootblacks	8	Coopers	7
Bottle dealer	1	Coremakers	10
Bottlers	2	Costumer	1
Box makers	8	Counteraman	1
Brakemen	24	Crane men	6
Brass finishers	4	Cushion maker	1
Brewery worker	1	Cutters	32
Brick dealer	1	Dancers	4
Brick handlers	3	Dancing master	1
Bricklayers	21	Decorators	3
Brickmaker	1	Delivery man	1
Brokers	3	Demonstrator	1
Broom shop worker	1	Dentists	2
Builders	4	Designers	2
Butchers	48	Die makers	2
Butlers	7	Die setters	2
Button maker	1	Dish washers	6
Buyers	3	Doffer	1
Cab driver	1	Domestics	109
Cabinet makers	12	Doorman	1
Cafe	2	Draughtsmen	6
Camera maker	1	Dressmakers	5
Candle makers	3	Drillers	6
Calkers	2	Drill press hand	1
Candy makers	7	Drivers	418
Canvassers	2	Druggists	2
Cap makers	4	Dry goods	4
Captains	3	Dyer	1
Caretakers	2	Electrical dealers	2

TABLE G — (Continued)

OCCUPATION	Number	OCCUPATION	Number
Electricians	60	Iron moulders	2
Elevator boys	28	Iron workers	42
Elevator men	68	Janitors	20
Embroiderer	1	Janitress	1
Engineers	36	Jewelers	11
Engraver	1	Jockey	1
Entertainer	1	Journalist	1
Errand boys	81	Junk dealers	30
Expressmen	6	Kitchen boy	1
Factory boy	1	Kitchen men	3
Factory hands	6	Knitters	3
Farmers	165	Laborers	1,575
Farm hands	27	Ladies' hand bags	1
Feed store	2	Ladies' tailor	1
Finishers	3	Lathe hand	1
Firemen	85	Latherers	7
Fish dealers	5	Laundresses	9
Fishermen	2	Laundrymen	15
Fitters	2	Lawyers	3
Flagmen	2	Lead workers	2
Florists	10	Leather goods	3
Floorman	1	Leather workers	8
Flower maker	1	Letter carrier	1
Foremen	17	Lighterman	2
Foundry hand	1	Linemen	5
Fruit dealers	14	Liquor dealers	3
Furnished rooms	1	Lithographers	6
Furniture mover	2	Liverymen	2
Fur picker	1	Locksmiths	3
Furriers	10	Longshoremen	67
Galvanizer	1	Lumberjack	1
Garage owners	6	Lumbermen	6
Gardeners	3	Lunchmen	7
Glass cutters	7	Machine hands	7
Glass workers	9	Machinists	187
Glovers	2	Maids	4
Gold beater	1	Managers	18
Grainer	1	Manufacturers	9
Grinder	1	Marble workers	6
Grocers	15	Masons	18
Groom	1	Mate	1
Guards	17	Mattress makers	2
Guide	1	Meat cutters	3
Gunsmith	1	Mechanics	52
Hackmen	2	Merchants	34
Hairdressers	3	Messengers	23
Hallboys	3	Metal polishers	2
Hallman	1	Metal workers	18
Hanger	1	Midwives	5
Harness maker	1	Milkmen	3
Hat cleaner	1	Millhands	20
Hat maker	1	Milliner	1
Hatters	11	Millwrights	4
Helpers	262	Miners	9
Hides	1	Minstrel	1
Hod carriers	3	Model	1
Horse dealer	1	Motormen	9
Horsemen	2	Motor repairer	1
Horseshoers	6	Moulders	24
Hostlers	4	Moving picture operators	2
Hotel clerks	4	Musicians	20
Hotel keepers	54	Music rolls	1
Housekeepers	33	Music teacher	1
Houseman	1	Needle worker	1
Housewives	82	Newsboys	9
Hucksters	3	Newsdealers	6
Ice dealers	2	Newsmen	2
Icemen	5	Newspapermen	5
Importer	1	Nickel plater	1
Inspectors	11	Novelties	1
Instructors	3	Nurses	10
Insurance agents	12	Office boys	7
Inventor	1	Officer	1
Investigator	1	Oilers	4
Iron merchants	2	Omnibus	1

TABLE G — (Continued)

OCCUPATION	Number	OCCUPATION	Number
Operators	37	School girls	2
Opticians	2	Screwmaker	1
Orderlies	4	Scrub woman	1
Organ tuner	1	Sculptor	1
Osteopath	1	Sea captain	1
Oysterman	1	Seamstress	1
Packers	2	Secretaries	2
Pages	2	Servants	3
Painters	141	Ship builders	2
Paper boxmakers	4	Ship carpenters	2
Paper carriers	2	Ship master	1
Paper cutter	1	Shippers	25
Paper hangers	5	Shirt ironers	3
Papermakers	13	Shirtmaker	1
Parquet floors	1	Shoe cutters	2
Patrolman	1	Shoe factory	3
Pattern makers	2	Shoe dealers	4
Pavers	2	Shoe laster	1
Peddlers	55	Shoemakers	63
Performer	1	Shoe workers	3
Photographers	15	Showmen	2
Physicians	5	Sign hangers	2
Pianist	1	Sign painters	2
Piano finisher	1	Silk spinners	2
Pianomakers	4	Silk weavers	2
Piano players	3	Silversmiths	2
Piano mover	1	Singer	1
Pilots	2	Slater	1
Pin boy	1	Soda water	5
Pipefitters	13	Solderers	4
Pipemakers	2	Soldiers	26
Plasterers	13	Speculators	2
Platers	3	Spinners	2
Plumbers	48	Spongers	2
Pocketbook-makers	11	Stable boy	1
Policemen	4	Stable men	6
Polishers	10	Stage hands	2
Pool parlor	5	Stage manager	1
Porters	84	Stationers	2
Postal service	1	Steamfitters	15
Poultrymen	2	Steel workers	2
Powder business	1	Steeple jack	1
Pressers	20	Stenographers	17
Presshands	9	Stevedore	1
Pressfeeders	3	Stewards	14
Pressmen	10	Stock boys	2
Printers	65	Stock clerk	1
Process server	1	Stock keeper	1
Produce dealers	4	Stock runner	1
Promoter	1	Stone cutters	7
Publishers	3	Stone mason	1
Pugilists	3	Stone setter	1
Pumps	1	Stone worker	1
Radiator tester	1	Storage	1
Rag picker	1	Storekeepers	3
Railroad men	23	Stove mounter	1
Real estate	19	Stripper	1
Refrigerator manufacturer	1	Students	22
Repairers	4	Superintendents	7
Reporter	1	Surveyors	2
Restaurant keepers	12	Suspender maker	1
Ribbon maker	1	Sweeper	1
Riggers	7	Switchmen	6
Rivet heaters	6	Tailors	104
Riveters	3	Tailoress	1
Rivet maker	1	Tanner	1
Rolling mill	1	Teachers	3
Roller coverer	1	Teamsters	94
Roofers	8	Telegraph operators	5
Runners	3	Telephone operators	3
Sailmakers	2	Temperer	1
Sailors	68	Tester	1
Salesmen	203	Theatrical business	6
Saleswomen	4	Thermometer workers	2
Saloon keepers	62	Ticket speculator	1
School boys	5	Tile cutter	1

TABLE G — (Continued)

OCCUPATION	Number	OCCUPATION	Number
Tile setters	2	Walters	105
Time keepers	5	Waitresses	5
Tin worker	1	Wall paper	1
Tinsmiths	21	Washers	2
Tobacco workers	2	Washwoman	1
Tool dresser	1	Watchmakers	3
Toolmakers	0	Watchmen	9
Towerman	1	Weavers	14
Toymakers	2	Weighers	3
Trainer	1	Wellsman	1
Trainmen	7	Window cleaners	3
Translator	1	Wine business	1
Trimmer	1	Wire workers	2
Truckmen	11	Woodsmen	4
Truckmakers	2	Woodworkers	8
Turner	1	Wrapper	1
Undertakers	3	No occupation	112
Upholsterers	7	No trade	5
Ushers	6	Not given	82
Valets	3	Unknown	4
Varnishers	8		
Wagon boys	23		7,930

TABLE H

Abstract of the Returns of the Clerks of Criminal Courts, giving the number of indictments found in each county at the General Terms of Criminal Courts, the number of convictions, the number convicted on trial or plea of guilty, the number of sentences suspended, and the number of cases on which sentence was pending.

COUNTIES AND COURTS	Whole number on which convictions were had	Number convicted on trial	Number convicted on confession	Number of sentences suspended	Number of sentences pending
ALBANY COUNTY					
First quarter, County.....	27	11	16	10	8
Second quarter, Supreme.....	5	.....	5	1	.....
Third quarter, County.....	28	.....	28	8	5
Fourth quarter.....	32	2	30	6	3
	92	13	79	25	16
ALLEGANY COUNTY					
First quarter*.....	.....	.....	.....	.....	.....
Second quarter, County and Supreme.....	7	2	5	1	.....
Third quarter, County.....	1	.....	1	.....	.....
Fourth quarter, County and Supreme.....	4	.....	4	1	.....
	12	2	10	2	.....
BRONX COUNTY					
First quarter, County.....	82	5	77	31	27
Second quarter, County and Supreme.....	115	12	103	41	40
Third quarter, County and Supreme.....	103	12	91	47	24
Fourth quarter, County.....	78	4	74	29	20
	378	33	345	148	111
BROOME COUNTY					
First quarter, County and Supreme.....	23	.....	23	16	15
Second quarter, County and Supreme.....	43	3	40	18	10
Third quarter, County and Supreme.....	19	1	18	7	4
Fourth quarter.....	18	.....	18	4	3
	103	4	99	45	32
CATTARAUGUS COUNTY					
First quarter, County and Supreme.....	15	2	13	4	2
Second quarter, County and Supreme.....	15	.....	15	.....	.....
Third quarter, County and Supreme.....	20	3	17	7	10
Fourth quarter, County and Supreme.....	28	2	26	8	4
	78	7	71	19	16
CAYUGA COUNTY					
First quarter, County and Supreme.....	10	2	8	2	2
Second quarter, County and Supreme.....	5	2	3	.....	1
Third quarter, County and Supreme.....	10	1	9	.....	3
Fourth quarter, Supreme.....	9	.....	9	3	3
	34	5	29	5	9

* No convictions

TABLE H — (Continued)

COUNTIES AND COURTS	Whole number on which convictions were had	Number convicted on trial	Number convicted on confession	Number of sentences suspended	Number of sentences pending
CHAUTAUQUA COUNTY					
First quarter, County and Supreme.....	11	1	10	6	2
Second quarter, County.....	3	1	2	1	.....
Third quarter, County and Supreme.....	13	.....	13	5	3
Fourth quarter, County.....	1	.....	1	.....	.....
	28	2	26	12	5
CHEMUNG COUNTY					
First quarter, County and Supreme.....	22	1	21	6	.....
Second quarter, County.....	4	.....	4	.....	.....
Third quarter, County and Supreme.....	15	1	14	4	.....
Fourth quarter, County.....	16	1	15	5	.....
	57	3	54	15	.....
CHENANGO COUNTY					
First quarter, County and Supreme.....	15	.....	15	5	.....
Second quarter, County and Supreme.....	4	.....	4	3	.....
Third quarter, County.....	5	3	2	.....	.....
Fourth quarter, County and Supreme.....	4	.....	4	2	2
	28	3	25	10	2
CLINTON COUNTY					
First quarter, County.....	9	1	8	2	2
Second quarter, Supreme.....	7	.....	7	2	.....
Third quarter, County.....	16	3	13	4	1
Fourth quarter*.....	.....	.....	.....	.....	.....
	32	4	28	8	3
COLUMBIA COUNTY					
First quarter, County and Supreme.....	4	1	3	.....	.....
Second quarter*.....	.....	.....	.....	.....	.....
Third quarter, County and Supreme.....	8	1	7	4	5
Fourth quarter*.....	.....	.....	.....	.....	.....
	12	2	10	4	5
CORTLAND COUNTY					
First quarter, Supreme.....	6	.....	6	5	5
Second quarter, County and Supreme.....	6	.....	6	2	2
Third quarter, County.....	2	2	.....	.....	.....
Fourth quarter, County and Supreme.....	4	.....	4	1	2
	18	2	16	8	9
DELAWARE COUNTY					
First quarter*.....	.....	.....	.....	.....	.....
Second quarter, Supreme.....	1	.....	1	.....	.....
Third quarter*.....	.....	.....	.....	.....	.....
Fourth quarter, Supreme.....	4	.....	4	3	1
	5	.....	5	3	1
DUTCHESS COUNTY					
First quarter, County and Supreme.....	16	1	15	2	4
Second quarter, County.....	16	.....	16	3	10
Third quarter, County.....	26	1	25	3	17
Fourth quarter, County and Supreme.....	21	3	18	2	8
	79	5	74	10	39

* No convictions.

TABLE H — (Continued)

COUNTIES AND COURTS	Whole number on which convictions were had	Number convicted on trial	Number convicted on confession	Number of sentences suspended	Number of sentences pending
Schenectady County					
First quarter, County and Supreme.....	7	2	5	3	.....
Second quarter, County and Supreme.....	16	1	15	8	.....
Third quarter, County.....	4	.....	4	.....	.....
Fourth quarter, Supreme.....	6	.....	6	2	.....
	33	3	30	13	.....
Schoharie County					
First quarter, County and Supreme.....	8	.....	8	.....	2
Second quarter, County.....	2	1	1	.....	.....
Third quarter, Supreme.....	1	.....	1	.....	.....
Fourth quarter*.....	.....	.....	.....	.....	.....
	11	1	10	.....	2
Schuylers County					
First quarter, County.....	1	.....	1	.....	.....
Second quarter, County.....	1	1	.....	.....	.....
Third quarter*.....	.....	.....	.....	.....	.....
Fourth quarter*.....	.....	.....	.....	.....	.....
	2	1	1	.....	.....
Seneca County					
First quarter, County.....	5	1	4	1	.....
Second quarter, County.....	5	.....	5	.....	.....
Third quarter, County.....	1	.....	1	.....	.....
Fourth quarter.....	2	.....	2	.....	.....
	13	1	12	1	.....
Steuben County					
First quarter, County and Supreme.....	8	1	7	.....	3
Second quarter, County and Supreme.....	10	.....	10	.....	2
Third quarter, County.....	7	.....	7	.....	1
Fourth quarter, County and Supreme.....	30	5	25	5	9
	55	6	49	5	15
Suffolk County					
First quarter, County.....	14	2	12	1	1
Second quarter, County.....	11	.....	11	1	1
Third quarter, County.....	6	1	5	.....	.....
Fourth quarter, County.....	12	1	11	2	3
	43	4	39	5	5
Sullivan County					
First quarter, County.....	3	.....	3	1	.....
Second quarter, County.....	2	.....	2	.....	.....
Third quarter.....	7	1	6	1	.....
Fourth quarter, Supreme.....	7	.....	7	5	3
	19	1	18	7	3
Tioga County					
First quarter, County.....	2	2	.....	.....	.....
Second quarter, County and Supreme.....	3	.....	3	2	.....
Third quarter, County and Supreme.....	2	.....	2	1	.....
Fourth quarter, Supreme.....	1	.....	1	.....	.....
	8	2	6	3	.....

* No convictions.

TABLE H — (Continued)

COUNTIES AND COURTS	Whole number on which convictions were had	Number convicted on trial	Number convicted on confession	Number of sentences suspended	Number of sentences pending
TOMPKINS COUNTY					
First quarter, County.....	1	.....	1	.....	.....
Second quarter, County and Supreme.....	9	3	6	.....	3
Third quarter*.....	.....	.....	.....	.....	.....
Fourth quarter, County and Supreme.....	6	3	3	.....	.....
	16	6	10	.....	8
ULSTER COUNTY					
First quarter, County.....	1	1	.....	.....	.....
Second quarter, County.....	12	1	11	2	2
Third quarter, County.....	11	.....	11	1	8
Fourth quarter.....	5	.....	5	.....	.....
	29	2	27	3	10
WARREN COUNTY					
First quarter*.....	.....	.....	.....	.....	.....
Second quarter*.....	.....	.....	.....	.....	.....
Third quarter, County.....	6	1	5	3	3
Fourth quarter, Supreme.....	1	.....	1	1	.....
	7	1	6	4	3
WASHINGTON COUNTY					
First quarter, County and Supreme.....	10	1	9	3	.....
Second quarter*.....	.....	.....	.....	.....	.....
Third quarter, County and Supreme.....	11	2	9	2	.....
Fourth quarter, County and Supreme.....	8	.....	8	1	.....
	29	3	26	6	.....
WAYNE COUNTY					
First quarter, County and Supreme.....	4	1	3	.....	.....
Second quarter, County and Supreme.....	2	2	.....	.....	.....
Third quarter, County and Supreme.....	5	1	4	2	1
Fourth quarter*.....	.....	.....	.....	.....	.....
	11	4	7	2	1
WESTCHESTER COUNTY					
First quarter, County.....	39	7	32	17	.....
Second quarter, County.....	51	9	42	12	6
Third quarter, County.....	109	12	97	32	14
Fourth quarter, County.....	60	12	48	18	12
	259	40	219	79	32
WYOMING COUNTY					
First quarter, County and Supreme.....	4	.....	4	3	1
Second quarter, Supreme.....	4	.....	4	3	.....
Third quarter*.....	.....	.....	.....	.....	.....
Fourth quarter, Supreme.....	10	.....	10	5	1
	18	.....	18	11	2
YATES COUNTY					
First quarter, County.....	1	.....	1	.....	.....
Second quarter*.....	.....	.....	.....	.....	.....
Third quarter, County.....	1	.....	1	.....	1
Fourth quarter*.....	.....	.....	.....	.....	.....
	2	.....	2	.....	1

* No convictions.

TABLE I

Summary of Table H, exhibiting the Results of the Returns from each County.

COUNTIES	Whole number on which convictions were had	Number convicted on trial	Number convicted on confession	Number of sentences suspended	Number of sentences pending
Albany.....	92	13	79	25	16
Allegany.....	12	2	10	2	.....
Bronx.....	378	33	345	148	111
Broome.....	103	4	99	45	32
Cattaraugus.....	78	7	71	19	16
Cayuga.....	34	5	29	5	9
Chautauqua.....	28	2	26	12	5
Chemung.....	57	3	54	15	.....
Chenango.....	28	3	25	10	2
Clinton.....	32	4	28	8	3
Columbia.....	12	2	10	4	5
Cortland.....	18	2	16	8	9
Delaware.....	5	.....	5	3	1
Dutchess.....	79	5	74	10	39
Erie.....	445	57	388	166	159
Essex.....	23	2	21	8	.....
Franklin.....	52	3	49	25	12
Fulton.....	18	7	11	6	.....
Genesee.....	17	.....	17	5	1
Greene.....	8	1	7	2	.....
Hamilton.....	1	1	.....	.....	.....
Herkimer.....	70	5	65	17	8
Jefferson.....	83	7	76	22	23
Kings.....	1,424	197	1,227	548	.....
Lewis.....	15	1	14	2	4
Livingston.....	24	2	22	2	2
Madison.....	16	1	15	1	.....
Monroe.....	133	17	116	35	33
Montgomery.....	30	1	29	11	.....
Nassau.....	101	20	81	46	19
New York.....	2,823	319	2,504	960	653
Niagara.....	105	8	97	34	44
Oneida.....	150	19	131	31	51
Onondaga.....	195	20	175	4	36
Ontario.....	54	3	51	11	5
Orange.....	95	6	89	39	28
Orleans.....	9	.....	9	2	.....
Oswego.....	68	2	66	19	22
Otsego.....	13	.....	13	4	.....
Putnam.....	12	1	11	1	3
Queens.....	140	35	105	45	.....
Rensselaer.....	45	2	43	20	16
Richmond.....	72	10	62	16	26
Rockland.....	33	6	27	4	3
St. Lawrence.....	114	4	110	50	28
Saratoga.....	31	4	27	11	.....
Schenectady.....	33	3	30	13	.....
Schoharie.....	11	1	10	.....	2
Schuyler.....	2	1	1	.....	.....
Seneca.....	13	1	12	1	.....
Steuben.....	55	6	49	5	15
Suffolk.....	43	4	39	5	5
Sullivan.....	19	1	18	7	3
Tioga.....	8	2	6	3	.....
Tompkins.....	16	6	10	.....	3
Ulster.....	29	2	27	3	10
Warren.....	7	1	6	4	3
Washington.....	29	3	26	6	.....
Wayne.....	11	4	7	2	1
Westchester.....	259	40	219	79	32
Wyoming.....	18	.....	18	11	2
Yates.....	2	.....	2	.....	1
	7,930	921	7,009	2,600	1,501

TABLE K

Giving an Abstract of the Returns by the County Clerks of Certification of Convictions in Courts of Special Sessions filed in the respective County Clerks' Offices during the year ending October 31, 1917.

COUNTY OF ALBANY

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSES	SENTENCE
1	First quarter	1	.....	Assault, third degree.....	500 days penitentiary or \$500.
1		1	.....	Assault, third degree.....	12 months penitentiary or \$300.
12		12	.....	Assault, third degree.....	
1		1	.....	Assault, third degree.....	
1		1	.....	Assault, third degree.....	
1		1	.....	Assault, third degree.....	
1		1	.....	Assault, third degree.....	
1		1	.....	Assault, third degree.....	
2		2	.....	Assault, third degree.....	
2		2	.....	Assault, third degree.....	
2		2	.....	Assault, third degree.....	
3		1	1	Assault, third degree.....	
5		2	1	Assault, third degree.....	
1		5	.....	Assault, third degree.....	
1		1	.....	Intoxication	6 months penitentiary.
1		1	.....	Intoxication	4
5		3	.....	Intoxication	3
5		5	.....	Intoxication	2
6		6	.....	Intoxication	1
4		2	2	Intoxication	150 days jail.
1		1	.....	Intoxication	90 days jail.
1		1	.....	Intoxication	35 days jail.
1		1	.....	Intoxication	30 days jail.
13		13	.....	Intoxication	25 days jail.
15		15	.....	Intoxication	20 days jail.
18		18	.....	Intoxication	15 days jail.
13		13	.....	Intoxication	10 days jail or \$10.
32		32	.....	Intoxication	10 days jail or \$6.
6		6	.....	Intoxication	

2	Petit larceny	1	12 months penitentiary.
6	Petit larceny	1	6 months penitentiary.
6	Petit larceny	1	4 months penitentiary.
6	Petit larceny	1	3 months penitentiary.
6	Petit larceny	1	2 months penitentiary.
6	Petit larceny	1	1 month penitentiary.
1	Petit larceny	1	60 days penitentiary.
2	Petit larceny	1	60 days jail.
1	Petit larceny	1	60 days jail.
2	Petit larceny	1	30 days jail.
1	Petit larceny	1	25 days jail or \$25.
2	Petit larceny	1	25 days jail.
1	Petit larceny	1	20 days jail or \$20.
1	Petit larceny	1	15 days jail or \$15.
1	Petit larceny	1	10 days jail.
1	Petit larceny	1	5 days jail or \$5.
1	Petit larceny	1	Fined \$10.
1	Petit larceny	1	Asylum.
1	Petit larceny	1	Suspended.
1	Vagrancy	1	6 months penitentiary.
1	Vagrancy	1	6 months penitentiary.
1	Vagrancy	1	4 months penitentiary.
1	Vagrancy	1	3 months penitentiary.
1	Vagrancy	1	2 months penitentiary.
1	Vagrancy	1	30 days jail.
1	Vagrancy	1	25 days jail.
1	Vagrancy	1	20 days jail.
1	Vagrancy	1	15 days jail.
1	Vagrancy	1	10 days jail.
1	Vagrancy	1	5 days jail or \$5.
1	Vagrancy	1	5 days jail.
1	Vagrancy	1	Adjudged a vagrant.
1	Vagrancy	1	Alms-house.
1	Vagrancy	1	Asylum.
1	Vagrancy	1	Suspended.

Total, 610; men, 572; women, 38.

1	Assault, third degree	1	12 months penitentiary and \$500.
1	Assault, third degree	1	6 months penitentiary.
3	Assault, third degree	3	3 months penitentiary.
3	Assault, third degree	3	2 months penitentiary.
1	Assault, third degree	1	60 days jail.
2	Assault, third degree	2	30 days jail.
1	Assault, third degree	1	25 days jail or \$25.
1	Assault, third degree	1	20 days jail.
2	Assault, third degree	2	15 days jail or \$15.
1	Assault, third degree	1	10 days jail or \$10.

ted.

10	Misdemeanor	.....	.....
34	Misdemeanor	.....	.....
2	Misdemeanor	.....	.....
15	Misdemeanor	.....	.....
1	Misdemeanor	.....	.....
2	Misdemeanor	.....	.....
6	Misdemeanor	.....	.....
4	Misdemeanor	.....	.....
1	Misdemeanor	.....	.....
2	Misdemeanor	.....	.....
2	Misdemeanor	.....	.....
6	Misdemeanor	.....	.....
1	Misdemeanor	.....	.....
4	Misdemeanor	.....	.....
6	Misdemeanor	.....	.....
35	Misdemeanor	.....	.....
3	Petit larceny	.....	.....
2	Petit larceny	.....	.....
4	Petit larceny	.....	.....
2	Petit larceny	.....	.....
2	Petit larceny	.....	.....
1	Petit larceny	.....	.....
2	Petit larceny	.....	.....
1	Petit larceny	.....	.....
2	Petit larceny	.....	.....
2	Petit larceny	.....	.....
2	Petit larceny	.....	.....
2	Petit larceny	.....	.....
2	Petit larceny	.....	.....
2	Petit larceny	.....	.....
1	Petit larceny	.....	.....
1	Petit larceny	.....	.....
4	Petit larceny	.....	.....
3	Vagrancy	.....	.....
1	Vagrancy	.....	.....
1	Vagrancy	.....	.....
2	Vagrancy	.....	.....
3	Vagrancy	.....	.....
9	Vagrancy	.....	.....
5	Vagrancy	.....	.....
16	Vagrancy	.....	.....
3	Vagrancy	.....	.....
9	Vagrancy	.....	.....
11	Vagrancy	.....	.....
1	Vagrancy	.....	.....
3	Vagrancy	.....	.....
1	Vagrancy	.....	.....
Total, 431; men, 401; women, 30.			

TABLE K — COUNTY OF ALBANY — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Fourth quarter	1	1	Assault, third degree	2 months penitentiary.
2		1	1	Assault, third degree	50 days jail or \$50.
1			1	Assault, third degree	25 days jail or \$25.
4		4		Assault, third degree	15 days jail or \$15.
6		4	2	Assault, third degree	10 days jail or \$10.
1		1		Assault, third degree	5 days jail or \$5.
2		2		Assault, third degree	Fined \$10.
1		1		Assault, third degree	Fined \$5.
1		1		Assault, third degree	Not stated.
1		1		Assault, third degree	Probation.
1			1	Assault, third degree	Suspended.
3		2	1	Assault, third degree	6 months penitentiary.
1		1		Intoxication	4 months penitentiary.
1		1		Intoxication	3 months penitentiary.
2		2		Intoxication	2 months penitentiary.
1		1	1	Intoxication	35 days jail.
3		3		Intoxication	30 days jail.
2		2		Intoxication	25 days jail.
2		2		Intoxication	20 days jail.
2		2		Intoxication	15 days jail.
3		3		Intoxication	10 days jail or \$10.
15		18	2	Intoxication	10 days jail.
2		2		Intoxication	5 days jail or \$5.
11		11		Intoxication	5 days jail.
13		13		Intoxication	4 days jail.
2		2		Intoxication	3 days jail or \$3.
18		16	2	Intoxication	3 days jail.
8		7	1	Intoxication	2 days jail.
2		2		Intoxication	Fined \$15.
1		1		Intoxication	Asylum.
4			4	Intoxication	Suspended.
7		7		Intoxication	6 months penitentiary.
1		1		Misdemeanor	2 months penitentiary.
1		1		Misdemeanor	100 days penitentiary or \$100.
1		1		Misdemeanor	305 days jail and \$100.

TABLE K — COUNTY OF ALBANY — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Fourth quarter	1	..	Vagrancy	2 months penitentiary.
1		1	..	Vagrancy	90 days jail.
1		1	..	Vagrancy	30 days jail or \$10.
2		1	..	Vagrancy	30 days jail.
3		2	..	Vagrancy	20 days jail.
7		3	..	Vagrancy	15 days jail.
5		7	..	Vagrancy	10 days jail.
5		5	2	Vagrancy	5 days jail.
1		1	..	Vagrancy	3 days jail.
4		4	..	Vagrancy	Adjudged a vagrant.
3		3	..	Vagrancy	Asylum.
Total, 834; men, 302; women, 32.					

COUNTY OF ALLEGANY

1	First quarter	1	..	Assault, third degree	Fined \$5.
2		2	..	Assault, third degree	Suspended.
1		1	..	Intoxication	6 months penitentiary.
1		1	..	Intoxication	4 months penitentiary.
1		1	..	Intoxication	15 days jail.
2		2	..	Intoxication	7 days jail.
3		3	..	Intoxication	Fined \$10.
1		1	..	Intoxication	Fined \$5.
5		5	..	Intoxication	Suspended.
1		1	..	Misdemeanor	Fined \$25.
1		1	..	Petit larceny	180 days jail.
1		1	..	Petit larceny	60 days jail.
1		1	..	Vagrancy	100 days penitentiary.
1		1	..	Vagrancy	Not stated.
Total, 22; men, 22; women, 0.					

TABLE K — COUNTY OF ALLEGANY — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Fourth quarter	1	.....	Misdemeanor	Fined \$50.
1		1	.....	Misdemeanor	Fined \$25.
1		1	.....	Misdemeanor	Fined \$4.
1		1	.....	Misdemeanor	Fined \$3.
1		1	.....	Misdemeanor	State Industrial School.
2		2	.....	Petit larceny	Fined \$50.
1		1	.....	Vagrancy	4 months penitentiary.

Total, 22; men, 22; women, 0.

COUNTY OF BRONX

1	First quarter	1	.....	Assault, third degree.....	20 days jail.
3		3	.....	Assault, third degree.....	Fined \$50.
3		1	.....	Assault, third degree.....	Fined \$25.
1		3	.....	Assault, third degree.....	Not stated.
3		2	.....	Assault, third degree.....	Suspended.
2		2	.....	Misdemeanor	Penitentiary.
2		2	.....	Misdemeanor	90 days jail.
2		2	.....	Misdemeanor	60 days jail.
4		4	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	20 days jail.
1		1	.....	Misdemeanor	15 days jail.
1		1	.....	Misdemeanor	2 days jail or \$10.
4		6	.....	Misdemeanor	Fined \$50.
6		1	.....	Misdemeanor	Fined \$25.
1		2	.....	Misdemeanor	Fined \$15.
2		6	.....	Misdemeanor	Fined \$10.
7		1	.....	Misdemeanor	Not stated.
14		13	.....	Misdemeanor	Probation.
13		11	.....	Misdemeanor	Suspended.
5		5	.....	Petit larceny	Penitentiary.
1		.....	.....	Petit larceny	60 days jail.
1		1	.....	Petit larceny	30 days jail.
1		1	.....	Petit larceny	15 days jail.

1	1	Petit larceny	10 days jail.
5	4	Petit larceny	Not stated.
17	10	Petit larceny	Probation.
8	8	Petit larceny	Suspended.
7	7	Violation Liquor Tax Law	Fined \$10.
1	1	Violation Liquor Tax Law	Not stated.
4	3	Violation Liquor Tax Law	Suspended.
Total, 122; men, 113; women, 9.			
1	1	Assault, third degree	Penitentiary.
1	1	Assault, third degree	15 days jail or \$50.
1	1	Assault, third degree	10 days jail or \$50.
16	15	Misdemeanor	Penitentiary.
1	2	Misdemeanor	120 days jail.
1	1	Misdemeanor	90 days jail.
2	1	Misdemeanor	30 days jail or \$100.
1	2	Misdemeanor	30 days jail.
1	1	Misdemeanor	20 days jail or \$50.
2	2	Misdemeanor	20 days jail.
2	2	Misdemeanor	15 days jail.
2	1	Misdemeanor	10 days jail or \$50.
2	2	Misdemeanor	10 days jail or \$25.
1	1	Misdemeanor	10 days jail.
17	17	Misdemeanor	5 days jail or \$25.
1	1	Misdemeanor	2 days jail or \$10.
3	3	Misdemeanor	Not stated.
12	12	Misdemeanor	Probation.
35	35	Misdemeanor	Suspended.
6	6	Petit larceny	Penitentiary.
1	1	Petit larceny	90 days jail.
2	2	Petit larceny	60 days jail.
1	1	Petit larceny	20 days jail.
2	2	Petit larceny	15 days jail or \$25.
2	2	Petit larceny	10 days jail.
1	1	Petit larceny	5 days jail or \$25.
1	1	Petit larceny	2 days jail or \$10.
1	1	Petit larceny	Asylum.
1	1	Petit larceny	Bedford reformatory.
1	1	Petit larceny	Not stated.
8	8	Petit larceny	Probation.
17	17	Petit larceny	Suspended.
1	1	Petit larceny	30 days jail and \$200.
1	1	Violation Liquor Tax Law	5 days jail or \$25.
1	1	Violation Liquor Tax Law	2 days jail or \$10.
13	13	Violation Liquor Tax Law	Suspended.
3	3	Violation Liquor Tax Law	Suspended.
Total, 172; men, 160; woman, 12.			

TABLE K — COUNTY OF BRONX — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	.....	Assault, third degree.....	Penitentiary.
1		1	.....	Assault, third degree.....	10 days jail or \$50.
1		1	.....	Assault, third degree.....	Probation.
1		1	.....	Assault, third degree.....	Suspended.
15		15	.....	Misdemeanor	Penitentiary.
1		1	.....	Misdemeanor	90 days jail.
1		1	.....	Misdemeanor	60 days jail or \$200.
1		1	.....	Misdemeanor	60 days jail.
2		1	1	Misdemeanor	30 days jail or \$100.
3		3	.....	Misdemeanor	30 days jail.
6		6	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	15 days jail and \$250.
1		1	.....	Misdemeanor	10 days jail.
1		1	.....	Misdemeanor	5 days jail or \$25.
4		4	.....	Misdemeanor	Fined \$300.
1		1	.....	Misdemeanor	Fined \$100.
1		1	.....	Misdemeanor	Fined \$50.
6		6	.....	Misdemeanor	Fined \$25.
7		7	1	Misdemeanor	Fined \$10.
1		1	.....	Misdemeanor	New York City reformatory.
4		4	.....	Misdemeanor	Probation.
14		13	1	Misdemeanor	Suspended.
27		24	3	Misdemeanor	Penitentiary.
9		9	.....	Petit larceny	90 days jail.
3		3	.....	Petit larceny	30 days jail.
3		3	.....	Petit larceny	10 days jail or \$50.
3		2	1	Petit larceny	5 days jail or \$25.
1		1	.....	Petit larceny	Fined \$50.
2		2	.....	Petit larceny	Fined \$25.
1		1	.....	Petit larceny	Asylum.
1		1	.....	Petit larceny	New York City reformatory.
1		1	.....	Petit larceny	Probation.
16		13	3	Petit larceny	Suspended.
26		26	.....	Violation Liquor Tax Law.....	Fined \$10.
1		1	.....	Violation Liquor Tax Law.....	Fined \$25.
1		1	.....	Violation Liquor Tax Law.....	Fined \$10.
7		7	.....	Violation Liquor Tax Law.....	Suspended.
3		2	1	Violation Liquor Tax Law.....	Suspended.
Total, 178; men, 168; women, 10.					

3	Fourth quarter	Assault, third degree.....	30 days jail.
1		Assault, third degree.....	10 days jail or \$50.
3		Assault, third degree.....	5 days jail or \$25.
1		Assault, third degree.....	3 days jail or \$15.
3		Assault, third degree.....	Suspended.
6		Misdemeanor	Penitentiary.
1		Misdemeanor	30 days jail or \$100.
2		Misdemeanor	30 days jail.
1		Misdemeanor	20 days jail.
3		Misdemeanor	10 days jail or \$5.
1		Misdemeanor	10 days jail.
5		Misdemeanor	5 days jail or \$25.
1	1	Misdemeanor	5 days jail or \$15.
1		Misdemeanor	2 days jail or \$10.
1		Misdemeanor	Probation.
18		Misdemeanor	Suspended.
25	3	Misdemeanor	Penitentiary.
4		Pett larceny	90 days jail.
1		Pett larceny	60 days jail.
2		Pett larceny	30 days jail.
5		Pett larceny	20 days jail.
3		Pett larceny	10 days jail.
1	1	Pett larceny	2 days jail or \$10.
2		Pett larceny	Asylum.
1		Pett larceny	Probation.
10	1	Pett larceny	Suspended.
18	4	Pett larceny	30 days jail or \$100.
1		Violation Liquor Tax Law.....	2 days jail or \$10.
14		Violation Liquor Tax Law.....	Suspended.
2	1	Violation Liquor Tax Law.....	
Total, 149; men, 138; women, 11.			

COUNTY OF BROOME

2	First quarter	Assault, third degree.....	20 days jail.
1		Assault, third degree.....	15 days jail or \$15.
2		Assault, third degree.....	5 days jail or \$5.
1		Assault, third degree.....	Asylum.
6		Intoxication	6 months penitentiary.
2	1	Intoxication	5 months penitentiary.
4		Intoxication	4 months penitentiary.
1		Intoxication	3 months penitentiary.
3	1	Intoxication	100 days penitentiary.
14	3	Intoxication	59 days jail.
24	1	Intoxication	30 days jail.
2		Intoxication	25 days jail or \$25.
1		Intoxication	25 days jail.

TABLE K — COUNTY OF BROOME — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
15	First quarter	15	.....	Intoxication	20 days jail.
1		1	.....	Intoxication	15 days jail or \$15.
10		10	.....	Intoxication	15 days jail.
31		31	.....	Intoxication	10 days jail or \$10.
28		28	.....	Intoxication	10 days jail.
1		1	.....	Intoxication	6 days jail.
31		31	.....	Intoxication	5 days jail or \$5.
14		14	.....	Intoxication	5 days jail.
1		1	.....	Intoxication	Fined \$3.
3		.....	3	Intoxication	Asylum.
5		.....	1	Intoxication	Suspended.
2		5	.....	Misdemeanor	59 days jail and \$50.
2		2	.....	Misdemeanor	59 days jail.
.....		.....	1	Misdemeanor	30 days jail and \$50.
.....		.....	1	Misdemeanor	30 days jail and \$25.
1		1	.....	Misdemeanor	30 days jail and \$10.
3		.....	1	Misdemeanor	30 days jail.
1		3	.....	Misdemeanor	25 days jail or \$34.
1		1	.....	Misdemeanor	20 days jail.
1		1	.....	Misdemeanor	15 days jail or \$15.
2		2	.....	Misdemeanor	15 days jail.
.....		.....	1	Misdemeanor	10 days jail or \$10.
6		.....	.....	Misdemeanor	10 days jail.
1		1	.....	Misdemeanor	5 days jail or \$5.
1		1	.....	Misdemeanor	5 days jail.
4		4	.....	Misdemeanor	Fined \$25.
.....		.....	1	Misdemeanor	Asylum.
1		1	2	Misdemeanor	Bond required \$500.
1		1	.....	Misdemeanor	Bond required \$400.
1		1	.....	Misdemeanor	Bond required \$300.
1		1	.....	Misdemeanor	Bond required \$250.
1		1	.....	Misdemeanor	State Industrial School.
2		2	.....	Misdemeanor	Suspended.
1		1	.....	Petit larceny	4 months penitentiary.
2		2	.....	Petit larceny	59 days jail.

2	2	.....	Petit larceny	.....	30 days jail and \$10.
5	5	.....	Petit larceny	.....	30 days jail.
1	1	.....	Petit larceny	.....	25 days jail or \$25.
1	1	.....	Petit larceny	.....	15 days jail.
1	1	.....	Petit larceny	.....	10 days jail or \$10.
2	2	.....	Petit larceny	.....	10 days jail.
1	1	.....	Petit larceny	.....	State Industrial School.
1	1	.....	Petit larceny	.....	Suspended.
Total, 266; men, 249; women, 17.					
1	1	.....	Assault, third degree.	.....	6 months penitentiary.
2	2	.....	Assault, third degree.	.....	30 days jail.
1	1	.....	Assault, third degree.	.....	15 days jail.
1	1	.....	Assault, third degree.	.....	10 days jail or \$10.
2	2	.....	Assault, third degree.	.....	10 days jail.
1	1	.....	Assault, third degree.	.....	5 days jail or \$5.
1	1	.....	Assault, third degree.	.....	Fined \$50.
1	1	.....	Assault, third degree.	.....	Fined \$5.
8	8	.....	Intoxication	.....	6 months penitentiary.
1	1	.....	Intoxication	.....	5 months penitentiary.
1	1	.....	Intoxication	.....	125 days penitentiary.
6	6	.....	Intoxication	.....	100 days penitentiary.
14	14	.....	Intoxication	.....	59 days jail.
1	1	.....	Intoxication	.....	50 days jail.
13	13	.....	Intoxication	.....	30 days jail.
1	1	.....	Intoxication	.....	20 days jail and \$5.
1	1	.....	Intoxication	.....	20 days jail or \$20.
13	13	.....	Intoxication	.....	20 days jail.
1	1	.....	Intoxication	.....	15 days jail or \$15.
12	12	.....	Intoxication	.....	15 days jail.
17	17	.....	Intoxication	.....	10 days jail or \$10.
22	22	.....	Intoxication	.....	10 days jail.
26	26	.....	Intoxication	.....	5 days jail or \$5.
14	14	.....	Intoxication	.....	5 days jail.
1	1	.....	Intoxication	.....	2 days jail.
.....	.....	.....	Intoxication	.....	Asylum.
3	3	.....	Intoxication	.....	Suspended.
.....	.....	.....	Misdemeanor	.....	6 months penitentiary.
.....	.....	.....	Misdemeanor	.....	59 days jail.
3	3	.....	Misdemeanor	.....	30 days jail.
1	1	.....	Misdemeanor	.....	25 days jail or \$25.
1	1	.....	Misdemeanor	.....	20 days jail and \$25.
1	1	.....	Misdemeanor	.....	10 days jail or \$10.
4	4	.....	Misdemeanor	.....	5 days jail or \$5.
5	5	.....	Misdemeanor	.....	5 days jail.
.....	.....	.....	Misdemeanor	.....	Asylum.
1	1	.....	Misdemeanor	.....	180 days jail and bond required \$300.

6	6	Misdemeanor	5 days jail or \$5.
10	10	Misdemeanor	5 days jail.
2	2	Misdemeanor	3 days jail.
2	2	Misdemeanor	Fined \$25.
2	2	Misdemeanor	Bond required \$500.
1	1	Misdemeanor	Bond required \$400.
1	1	Misdemeanor	Bond required \$350.
2	2	Misdemeanor	Bond required \$300.
1	1	Misdemeanor	Asylum.
1	1	Misdemeanor	Probation.
1	1	Misdemeanor	State Industrial School.
10	10	Misdemeanor	6 months penitentiary.
4	4	Petit larceny	59 days jail.
1	1	Petit larceny	30 days jail.
3	3	Petit larceny	5 days jail or \$5.
2	2	Petit larceny	5 days jail.
1	1	Petit larceny	Suspended.
1	1	Petit larceny	6 months penitentiary.
1	1	Vagrancy	30 days jail.
1	1	Vagrancy	Asylum.
2	2	Vagrancy	Asylum.
Total, 230; men, 229; women, 1.			

COUNTY OF CATTARAUGUS

1	1	Assault, third degree	6 months penitentiary.
1	1	Assault, third degree	50 days jail or \$50.
1	1	Assault, third degree	Fined \$10.
1	1	Assault, third degree	Fined \$5.
1	1	Assault, third degree	Fined \$2.
1	1	Assault, third degree	Not stated.
2	2	Intoxication	6 months penitentiary and \$10.
1	1	Intoxication	6 months penitentiary.
2	2	Intoxication	4 months penitentiary.
3	3	Intoxication	3 months penitentiary.
3	3	Intoxication	180 days jail.
1	1	Intoxication	150 days jail.
4	4	Intoxication	120 days jail.
5	5	Intoxication	90 days jail.
10	10	Intoxication	60 days jail.
1	1	Intoxication	30 days jail and \$10.
32	32	Intoxication	30 days jail.
1	1	Intoxication	25 days jail.
1	1	Intoxication	18 days jail.
34	34	Intoxication	15 days jail.
5	5	Intoxication	5 days jail.
1	1	Intoxication	Fined \$6.

TABLE K — COUNTY OF CATTARAUGUS — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
11	First quarter	11	.....	Intoxication	Fined \$5.
5		5	.....	Intoxication	Fined \$3.
1		1	.....	Intoxication	Fined \$2.50.
14		14	.....	Intoxication	Fined \$2.
7		7	.....	Intoxication	Fined \$1.00.
1		1	.....	Intoxication	Not stated.
97		97	.....	Intoxication	Suspended.
1		1	.....	Misdemeanor	3 months penitentiary.
1		1	.....	Misdemeanor	2 months penitentiary.
1		1	.....	Misdemeanor	180 days jail and \$100.
2		2	.....	Misdemeanor	90 days jail.
1		1	.....	Misdemeanor	60 days jail.
2		2	.....	Misdemeanor	30 days jail.
2		2	.....	Misdemeanor	25 days jail or \$25.
1		1	.....	Misdemeanor	15 days jail.
1		1	.....	Misdemeanor	Fined \$15.
4		4	.....	Misdemeanor	Fined \$10.
18		18	.....	Misdemeanor	Fined \$5.
3		3	.....	Misdemeanor	Fined \$3.
9		9	.....	Misdemeanor	Fined \$2.
3		3	.....	Misdemeanor	Asylum.
17		17	.....	Misdemeanor	Not stated.
1		1	.....	Misdemeanor	Suspended.
1		1	.....	Petit larceny	60 days jail.
1		1	.....	Petit larceny	Fined \$40.
1		1	.....	Petit larceny	Fined \$25.
1		1	.....	Petit larceny	Fined \$5.
1		1	.....	Petit larceny	Fined \$2.
1		1	.....	Petit larceny	Not stated.
1		1	.....	Petit larceny	Suspended.
1		1	.....	Petit larceny	3 months penitentiary.
1		1	.....	Vagrancy	Not stated.
1		1	.....	Vagrancy	Suspended.
1		1	.....	Violation Liquor Tax Law	20 days jail or \$20.

Total, 320; men, 312; women, 8.

TABLE K — COUNTY OF CATTARAUGUS — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	Fourth quarter	2	.....	Intoxication	120 days jail.
5		5	.....	Intoxication	90 days jail.
9		9	.....	Intoxication	60 days jail.
1		1	.....	Intoxication	30 days jail and \$10.
1		1	.....	Intoxication	30 days jail or \$10.
19		19	.....	Intoxication	30 days jail.
1		1	.....	Intoxication	20 days jail.
35		34	..... 1	Intoxication	20 days jail.
1		1	.....	Intoxication	15 days jail.
1		1	.....	Intoxication	10 days jail or \$10.
1		1	.....	Intoxication	10 days jail.
3		3	.....	Intoxication	6 days jail or \$6.
7		7	.....	Intoxication	Fined \$5.
10		10	.....	Intoxication	Fined \$3.
6		6	.....	Intoxication	Fined \$2.
4		4	.....	Intoxication	Fined \$1.
4		4	.....	Intoxication	Not stated.
57		56	..... 1	Intoxication	Suspended.
1		1	.....	Misdemeanor	365 days jail.
1		1	.....	Misdemeanor	90 days jail and \$50.
1		1	.....	Misdemeanor	90 days jail.
2		3	..... 1	Misdemeanor	30 days jail.
3		1	.....	Misdemeanor	20 days jail or \$20.
1		1	.....	Misdemeanor	20 days jail.
3		3	.....	Misdemeanor	15 days jail.
2		2	.....	Misdemeanor	10 days jail.
1		1	.....	Misdemeanor	Fined \$50.
1		1	.....	Misdemeanor	Fined \$25.
7		7	.....	Misdemeanor	Fined \$10.
1		1	.....	Misdemeanor	Fined \$7.
7		7	.....	Misdemeanor	Fined \$5.
2		2	.....	Misdemeanor	Fined \$3.
18		18	.....	Misdemeanor	Fined \$2.
1		1	.....	Misdemeanor	Fined \$1.
22		21	..... 1	Misdemeanor	Not stated.
19		18	..... 1	Misdemeanor	Suspended.

TABLE K — COUNTY OF CAYUGA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	First quarter	1	.....	Intoxication	Fined \$5.
1		1	.....	Intoxication	Fined \$3.
2		2	.....	Intoxication	Not stated.
4		4	.....	Intoxication	Probation.
3		37	2	Intoxication	Financed.
6		2	1	Misdemeanor	
1		1	.....	Misdemeanor	
1		1	.....	Misdemeanor	
1		1	.....	Misdemeanor	
1		1	.....	Misdemeanor	
1		1	.....	Misdemeanor	
1		4	1	Misdemeanor	
1		1	.....	Misdemeanor	
4		4	.....	Misdemeanor	
14		14	.....	Misdemeanor	
2		2	.....	Misdemeanor	
1		1	.....	Misdemeanor	
1		1	.....	Misdemeanor	
1		1	.....	Misdemeanor	
1		1	.....	Misdemeanor	
1		7	.....	Misdemeanor	
4		49	.....	Misdemeanor	
1		1	.....	Petit larceny	Not stated.
1		1	.....	Petit larceny	Probation.
1		1	.....	Petit larceny	Suspended.
1		1	.....	Petit larceny	65 days penitentiary or \$25.
1		1	.....	Petit larceny	20 days jail or \$20.
1		1	.....	Petit larceny	10 days jail or \$5.
1		1	.....	Petit larceny	Fined \$25.
1		1	.....	Petit larceny	Probation.
1		1	.....	Petit larceny	Suspended.
1		1	.....	Vagrancy	Adjudged a vagrant.
Total, 218; men, 208; women, 10.					
1	Second quarter	1	.....	Assault, third degree.	15 days jail or \$5.
1		1	.....	Assault, third degree.	10 days jail or \$10.
3		3	.....	Assault, third degree.	Not stated.
2		2	.....	Intoxication	6 months penitentiary.
3		3	.....	Intoxication	3 months penitentiary.
1		1	.....	Intoxication	10 days penitentiary.

TABLE K — COUNTY OF CAYUGA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	Intoxication	30 days jail or \$7.50.
2		.....	Intoxication	15 days jail or \$10.
14		.....	Intoxication	15 days jail or \$5.
1		.....	Intoxication	15 days jail.
10		.....	Intoxication	10 days jail or \$5.
1		.....	Intoxication	10 days jail or \$3.
1		.....	Intoxication	Fined \$5.
1		.....	Intoxication	Banished.
1		.....	Intoxication	Not stated.
1		.....	Intoxication	Probation.
4		.....	Intoxication	Suspended.
41		.....	Intoxication	3 months penitentiary or \$50.
1		.....	Misdemeanor	3 months penitentiary or \$15.
1		.....	Misdemeanor	65 days penitentiary.
4		.....	Misdemeanor	60 days jail or \$50.
1		.....	Misdemeanor	30 days jail or \$25.
1		.....	Misdemeanor	30 days jail or \$20.
1		.....	Misdemeanor	30 days jail or \$10.
1		.....	Misdemeanor	25 days jail or \$25.
1		.....	Misdemeanor	15 days jail or \$5.
1		.....	Misdemeanor	10 days jail or \$10.
10		.....	Misdemeanor	10 days jail or \$5.
8		.....	Misdemeanor	10 days jail or \$3.
2		.....	Misdemeanor	Fined \$25; probation.
1		.....	Misdemeanor	Fined \$25.
1		.....	Misdemeanor	Not stated.
16		.....	Misdemeanor	Probation.
4		.....	Misdemeanor	Suspended.
7		.....	Misdemeanor	65 days penitentiary or \$15.
1		.....	Petit larceny	65 days penitentiary or \$10.
1		.....	Petit larceny	Fined \$5.
1		.....	Petit larceny	Not stated.
2		.....	Petit larceny	Not stated.
Total, 164; men, 160; women, 4.					

TABLE K—COUNTY OF CAYUGA—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSES	SENTENCES
2	Fourth quarter	2	1	Petit larceny	\$20.
2		1	1	Petit larceny	
1		2	1	Petit larceny	
1		1	1	Petit larceny	
1		1	1	Petit larceny	
1		2	1	Petit larceny	
3		6	1	Vagrancy	
Total, 256; men, 246; women, 10.					

COUNTY OF CHAUTAUQUA

Number of convictions	First quarter	Males	Females	OFFENSES	SENTENCES
2		2	1	Assault, third degree	
2		1	1	Assault, third degree	
1		1	1	Assault, third degree	
4		4	1	Assault, third degree	
1		1	1	Assault, third degree	
1		1	1	Assault, third degree	
4		4	1	Assault, third degree	
1		1	1	Intoxication	
1		2	1	Intoxication	
1		1	1	Intoxication	
13		13	1	Intoxication	
2		2	1	Intoxication	
3		3	1	Intoxication	
5		5	1	Intoxication	
7		7	1	Intoxication	
24		24	1	Intoxication	
3		3	1	Intoxication	
10		10	1	Intoxication	
16		16	1	Intoxication	
69		69	1	Intoxication	
1		1	1	Intoxication	
1		1	1	Intoxication	
2		2	1	Intoxication	

[illegible]

TABLE K — COUNTY OF CHAUTAUQUA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
35	Second quarter	33	.....	Assault, third degree.....	Fined \$5.
3		3	.....	Assault, third degree.....	Suspended.
17		17	.....	Intoxication	1 month penitentiary.
2		2	.....	Intoxication	63 days jail.
2		2	.....	Intoxication	90 days jail.
1		1	.....	Intoxication	60 days jail.
1		1	.....	Intoxication	50 days jail.
1		1	.....	Intoxication	40 days jail.
1		1	.....	Intoxication	35 days jail.
18		18	.....	Intoxication	30 days jail.
2		2	.....	Intoxication	15 days jail.
9		9	.....	Intoxication	10 days jail.
3		3	.....	Intoxication	Fined \$10.
20		20	.....	Intoxication	Fined \$5.
22		22	.....	Intoxication	Fined \$5.
4		4	.....	Intoxication	Fined \$3.
13		11	2	Intoxication	Probation.
1		1	.....	Intoxication	Suspended.
1		1	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	Fined \$25.
4		3	1	Misdemeanor	Fined \$10.
4		3	1	Misdemeanor	Fined \$5.
1		.....	2	Misdemeanor	Fined \$3.
4		.....	1	Misdemeanor	Alms-house.
1		.....	1	Misdemeanor	Asylum.
1		.....	.....	Misdemeanor	Not stated.
3		1	3	Misdemeanor	Probation.
1		1	.....	Misdemeanor	Suspended; probation.
7		7	.....	Misdemeanor	Suspended.
2		1	1	Misdemeanor	Suspended.
1		1	.....	Petit larceny	Fined \$25.
1		.....	1	Petit larceny	Fined \$22.50.
2		2	.....	Petit larceny	Fined \$5.
1		1	.....	Petit larceny	Probation.
1		1	.....	Petit larceny	Suspended.
1		.....	1	Vagrancy	60 days jail.
1		.....	.....	Vagrancy	Not stated.
1		1	.....	Vagrancy	Suspended.
10		10	.....	Vagrancy	Suspended.
Total, 150: men, 145; women, 11.					

TABLE K — COUNTY OF CHAUTAUGUA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSES	SENTENCES
8	Third quarter	8	.....	Misdemeanor	
6		6	.....	Misdemeanor	
21		21	.....	Misdemeanor	
4		4	.....	Petit larceny	
2		2	.....	Petit larceny	
1		1	.....	Petit larceny	
1		1	.....	Petit larceny	
1		1	.....	Petit larceny	
1		1	.....	Petit larceny	
1		1	.....	Petit larceny	
1		1	.....	Petit larceny	
1		1	.....	Petit larceny	
1		1	.....	Petit larceny	
1		1	.....	Petit larceny	
2		2	.....	Petit larceny	
4		4	.....	Petit larceny	
1		1	.....	Vagrancy	2 months penitentiary.
1		1	.....	Vagrancy	63 days penitentiary.
1		1	.....	Vagrancy	30 days jail.
1		1	.....	Vagrancy	20 days jail.
1		1	.....	Vagrancy	10 days jail.
1		1	.....	Vagrancy	Alms-house.
1		1	.....	Vagrancy	Suspended.
18		18	.....	Vagrancy	
8		8	.....	Vagrancy	
Total, 417; men, 403; women, 14.					
1	Fourth quarter	1	.....	Assault, third degree.	12 months penitentiary.
2		2	.....	Assault, third degree.	6 months penitentiary.
1		1	.....	Assault, third degree.	Fined \$25.
1		1	.....	Assault, third degree.	Fined \$15.
3		3	.....	Assault, third degree.	Fined \$10.
4		4	.....	Assault, third degree.	Fined \$5.
1		1	.....	Assault, third degree.	Probation.
1		1	.....	Assault, third degree.	Misprisoned.

COUNTY OF CHEMUNG

1	First quarter	1	Assault, third degree.....	.....	6 months penitentiary.
1		1	Assault, third degree.....	.....	2 months penitentiary.
1		1	Assault, third degree.....	.....	30 days jail.
2		2	Assault, third degree.....	.....	5 days jail or \$5.
5		5	Assault, third degree.....	.....	Suspended.
2		2	Intoxication.....	.....	6 months penitentiary.
2		2	Intoxication.....	.....	6 months penitentiary.
2		2	Intoxication.....	.....	3 months penitentiary.
4		4	Intoxication.....	.....	2 months penitentiary.
4		4	Intoxication.....	.....	100 days jail.
1		1	Intoxication.....	.....	90 days jail.
1		1	Intoxication.....	.....	60 days jail.
4		4	Intoxication.....	.....	30 days jail.
7		7	Intoxication.....	.....	20 days jail.
1		1	Intoxication.....	.....	15 days jail.
5		5	Intoxication.....	.....	10 days jail or \$10.
32		32	Intoxication.....	.....	10 days jail.
14		14	Intoxication.....	.....	8 days jail.
1		1	Intoxication.....	.....	7 days jail or \$7.
1		1	Intoxication.....	.....	7 days jail.
1		1	Intoxication.....	.....	5 days jail or \$5.
74		74	Intoxication.....	.....	5 days jail.
19		19	Intoxication.....	.....	4 days jail.
7		7	Intoxication.....	.....	3 days jail or \$3.
26		26	Intoxication.....	.....	3 days jail.
7		7	Intoxication.....	.....	2 days jail.
2		2	Intoxication.....	.....	Suspended.
437		437	Intoxication.....	.....	8 months penitentiary.
1		1	Misdemeanor.....	.....	30 days jail.
4		4	Misdemeanor.....	.....	20 days jail.
2		2	Misdemeanor.....	.....	15 days jail or \$15.
2		2	Misdemeanor.....	.....	15 days jail.
8		8	Misdemeanor.....	.....	10 days jail or \$10.
18		18	Misdemeanor.....	.....	10 days jail.
2		2	Misdemeanor.....	.....	5 days jail or \$5.
14		14	Misdemeanor.....	.....	3 days jail or \$3.
17		17	Misdemeanor.....	.....	2 days jail or \$2.
7		7	Misdemeanor.....	.....	2 days jail.
2		2	Misdemeanor.....	.....	Fined \$5 per week; time not stated.
1		1	Misdemeanor.....	.....	Fined \$5; probation.
1		1	Misdemeanor.....	.....	Asylum.
2		2	Misdemeanor.....	.....	Probation.
5		5	Misdemeanor.....	.....	State Industrial School.
1		1	Misdemeanor.....	.....	Suspended.
6		6	Misdemeanor.....	.....	6 months penitentiary.
121		121	Petit larceny.....	.....	3 months penitentiary.
3		3	Petit larceny.....	.....
1		1	Petit larceny.....	.....

TABLE K — COUNTY OF CAYUGA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	.....	Intoxication	30 days jail or \$7.50.
2		.....	Intoxication	15 days jail or \$10.	
14		.....	Intoxication	15 days jail or \$5.	
1		.....	Intoxication	15 days jail.	
10		.....	Intoxication	10 days jail or \$5.	
1		.....	Intoxication	10 days jail or \$3.	
1		.....	Intoxication	Fined \$5.	
1		.....	Intoxication	Banished.	
1		.....	Intoxication	Not stated.	
1		.....	Intoxication	Probation.	
4		.....	Intoxication	Suspended.	
41		.....	Intoxication	2	3 months penitentiary or \$50.
1		.....	Misdemeanor	.....	3 months penitentiary or \$15.
1		.....	Misdemeanor	.....	65 days penitentiary.
4		.....	Misdemeanor	.....	50 days jail or \$50.
1		.....	Misdemeanor	.....	30 days jail or \$25.
1		.....	Misdemeanor	.....	30 days jail or \$20.
1		.....	Misdemeanor	.....	30 days jail or \$10.
1		.....	Misdemeanor	.....	25 days jail or \$25.
1		.....	Misdemeanor	.....	15 days jail or \$5.
1		.....	Misdemeanor	.....	10 days jail or \$10.
10		.....	Misdemeanor	1	10 days jail or \$5.
8		.....	Misdemeanor	.....	10 days jail or \$3.
2		.....	Misdemeanor	.....	Fined \$25; probation.
1		.....	Misdemeanor	.....	Fined \$25.
1		.....	Misdemeanor	.....	Not stated.
6		.....	Misdemeanor	.....	Probation.
4		.....	Misdemeanor	1	Suspended.
7		.....	Misdemeanor	.....	65 days penitentiary or \$15.
1		.....	Petit larceny	.....	65 days penitentiary or \$10.
1		.....	Petit larceny	.....	Fined \$5.
1		.....	Petit larceny	.....	Not stated.
12		.....	Petit larceny	.....
Total, 104; men, 100; women, 4.					

TABLE K—COUNTY OF CATUGA—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCES
2	Fourth quarter	2	1	Petit larceny	\$20.
1		1	1	Petit larceny	
2		2	1	Petit larceny	
1		1	1	Petit larceny	
1		1	1	Petit larceny	
1		1	1	Petit larceny	
3		2	1	Petit larceny	
6		6	1	Vagrancy	1.
Total, 256; men, 246; women, 10.					

COUNTY OF CHAUTAQUA

Number of convictions	First quarter	Males	Females	OFFENSE	SENTENCES
2		2	1	Assault, third degree	90 days jail.
2		2	1	Assault, third degree	Fined \$15.
1		1	1	Assault, third degree	Fined \$10.
4		4	1	Assault, third degree	Fined \$5.
1		1	1	Assault, third degree	
1		1	1	Assault, third degree	
4		4	1	Assault, third degree	
1		1	1	Assault, third degree	
1		1	1	Intoxication	
1		1	1	Intoxication	
1		1	1	Intoxication	
13		13	1	Intoxication	
2		2	1	Intoxication	
3		3	1	Intoxication	
5		5	1	Intoxication	
7		7	1	Intoxication	
24		24	1	Intoxication	
3		3	1	Intoxication	
10		10	1	Intoxication	
16		16	1	Intoxication	
59		59	1	Intoxication	
11		11	1	Intoxication	
12		12	1	Intoxication	

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524
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TABLE K — COUNTY OF CHAUTAUQUA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
3	Second quarter	3	.....	Assault, third degree.	Fined \$5.
3		3	.....	Assault, third degree.	Suspended.
1		1	.....	Intoxication	1 month penitentiary.
7		7	.....	Intoxication	63 days jail.
2		2	.....	Intoxication	90 days jail.
1		1	.....	Intoxication	60 days jail.
2		2	.....	Intoxication	50 days jail.
1		1	.....	Intoxication	40 days jail.
1		1	.....	Intoxication	35 days jail.
8		8	.....	Intoxication	30 days jail.
2		2	.....	Intoxication	15 days jail.
9		9	.....	Intoxication	10 days jail.
3		3	.....	Intoxication	Fined \$10.
20		20	.....	Intoxication	Fined \$5.
22		22	.....	Intoxication	Fined \$3.
4		4	.....	Intoxication	Probation.
11		11	2	Intoxication	Suspended.
1		1	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	Fined \$25.
4		3	1	Misdemeanor	Fined \$10.
4		3	1	Misdemeanor	Fined \$5.
1		.....	2	Misdemeanor	Fined \$3.
4		.....	1	Misdemeanor	Alms-house.
1		.....	1	Misdemeanor	Asylum.
1		1	.....	Misdemeanor	Not stated.
3		3	.....	Misdemeanor	Probation.
1		1	.....	Misdemeanor	Suspended; probation.
7		7	.....	Misdemeanor	Suspended.
2		1	.....	Misdemeanor	Fined \$25.
1		1	.....	Petit larceny	Fined \$22.50.
1		1	.....	Petit larceny	Fined \$5.
1		.....	.....	Petit larceny	Probation.
1		.....	.....	Petit larceny	Suspended.
1		.....	1	Vagrancy	60 days jail.
1		.....	.....	Vagrancy	Not stated.
10		10	.....	Vagrancy	Suspended.
				Total, 150; men, 145; women, 11.	

TABLE K — COUNTY OF CHAUTAQUA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
8	Third quarter	8	.....	Misdemeanor	.....
6	6	.....	Misdemeanor	.....
21	21	.....	Misdemeanor	.....
4	4	.....	Petit larceny	.....
2	2	.....	Petit larceny	.....
1	1	.....	Petit larceny	.....
1	1	.....	Petit larceny	.....
1	1	.....	Petit larceny	.....
1	1	.....	Petit larceny	.....
1	1	.....	Petit larceny	.....
1	1	.....	Petit larceny	.....
1	1	.....	Petit larceny	.....
1	1	.....	Petit larceny	.....
1	1	.....	Petit larceny	.....
2	2	.....	Petit larceny	.....
4	4	.....	Petit larceny	.....
1	1	.....	Vagrancy	.....
1	1	.....	Vagrancy	.....
1	1	.....	Vagrancy	.....
2	2	.....	Vagrancy	.....
1	1	.....	Vagrancy	.....
1	1	.....	Vagrancy	.....
1	1	.....	Vagrancy	.....
1	1	.....	Vagrancy	.....
1	1	.....	Vagrancy	.....
1	1	.....	Vagrancy	.....
8	8	.....	Vagrancy	.....
Total, 417; men, 403; women, 14.					
1	Fourth quarter	1	.....	Assault, third degree	12 months penitentiary.
2	2	.....	Assault, third degree	6 months penitentiary.
1	1	.....	Assault, third degree	Fined \$25.
1	1	.....	Assault, third degree	Fined \$15.
3	3	.....	Assault, third degree	Fined \$10.
4	4	.....	Assault, third degree	Fined \$5.
1	1	.....	Assault, third degree	Probation.
1	1	.....	Assault, third degree	Suspended.

2	1	1	1	6	1	2	3	9	21	2	1	8	27	44	1	10	1	45	174	6	23	113	3	1	4	1	2	5	6	1	1	1	1	4	9	6	6	1	2	1	70	1	68	16	1	3	2	12				
1	1	1	1	6	1	2	3	8	21	2	1	8	27	44	1	9	1	45	174	6	23	110	4	1	4	1	1	1	5	6	1	1	1	4	7	6	6	1	2	1	70	1	60	16	1	3	2	11				
Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Intoxication	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor	Misdemeanor
1	1	1	1	6	1	2	3	8	21	2	1	8	27	44	1	9	1	45	174	6	23	110	4	1	4	1	1	1	5	6	1	1	1	4	7	6	6	1	2	1	70	1	60	16	1	3	2	11				
6 months penitentiary.	3 months penitentiary.	2 months penitentiary.	63 days penitentiary.	120 days jail.	90 days jail.	60 days jail.	40 days jail.	30 days jail.	25 days jail.	20 days jail or \$3.	20 days jail.	15 days jail.	10 days jail.	Fined \$15.	Fined \$10.	Fined \$7.50.	Fined \$5.	Fined \$3.	Alms-house.	Probation.	Suspended.	6 months penitentiary.	5 months penitentiary.	2 months penitentiary.	63 days penitentiary.	60 days jail.	40 days jail.	30 days jail and \$10.	30 days jail.	20 days jail.	10 days jail or \$10.	10 days jail.	Fined \$50.	Fined \$30.	Fined \$25.	Fined \$20.	Fined \$15.	Fined \$13.	Fined \$10.	Fined \$8.	Fined \$5.	Fined \$3.	Alms-house.	Asylum.	Not stated.	Probation.						

COUNTY OF CHEMUNG

1	First quarter	1	Assault, third degree.....	6 months penitentiary.
1		1	Assault, third degree.....	2 months penitentiary.
1		1	Assault, third degree.....	30 days jail.
2		2	Assault, third degree.....	5 days jail or \$5.
5		5	Assault, third degree.....	Suspended.
2		2	Intoxication	6 months penitentiary.
2		2	Intoxication	5 months penitentiary.
2		2	Intoxication	3 months penitentiary.
5		4	Intoxication	2 months penitentiary.
4		4	Intoxication	100 days jail.
1		1	Intoxication	90 days jail.
1		1	Intoxication	60 days jail.
4		4	Intoxication	30 days jail.
7		7	Intoxication	20 days jail.
1		1	Intoxication	15 days jail.
5		5	Intoxication	10 days jail or \$10.
32		32	Intoxication	10 days jail.
14		14	Intoxication	8 days jail.
1		1	Intoxication	7 days jail or \$7.
1		1	Intoxication	7 days jail.
1		1	Intoxication	5 days jail or \$5.
74		74	Intoxication	5 days jail.
19		19	Intoxication	4 days jail.
7		7	Intoxication	3 days jail or \$3.
26		26	Intoxication	3 days jail.
7		7	Intoxication	2 days jail.
2		2	Intoxication	Suspended.
437		437	Intoxication	3 months penitentiary.
1		1	Misdemeanor	30 days jail.
4		4	Misdemeanor	20 days jail.
2		2	Misdemeanor	15 days jail or \$15.
2		2	Misdemeanor	15 days jail.
3		3	Misdemeanor	10 days jail or \$10.
18		18	Misdemeanor	10 days jail.
2		2	Misdemeanor	5 days jail or \$5.
14		14	Misdemeanor	3 days jail or \$3.
17		17	Misdemeanor	2 days jail or \$2.
7		7	Misdemeanor	2 days jail.
2		2	Misdemeanor	Fined \$5 per week ; time not stated.
1		1	Misdemeanor	Fined \$5 ; probation.
1		1	Misdemeanor	Asylum.
2		2	Misdemeanor	Probation.
5		5	Misdemeanor	State Industrial School.
1		1	Misdemeanor	Suspended.
121		121	Misdemeanor	6 months penitentiary.
3		3	Petit larceny	3 months penitentiary.
1		1	Petit larceny	

TABLE K—COUNTY OF CIEMUNG—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
3	First quarter	3	.....	Petit larceny	.....
3		3	.....	Petit larceny	.....
3		3	.....	Petit larceny	.....
2		1	.....	Vagrancy	.....
3		3	.....	Vagrancy	.....
4		4	.....	Vagrancy	.....
2		1	.....	Vagrancy	.....
3		3	.....	Vagrancy	.....
1		1	.....	Vagrancy	.....
2		1	.....	Vagrancy	.....
3		3	.....	Vagrancy	.....
4		4	.....	Vagrancy	.....
1		1	.....	Vagrancy	.....
24		20	4	Vagrancy	.....
		Total, 959; men, 923; women, 36.			
1	Second quarter	1	.....	Assault, third degree.	6 months penitentiary.
1		1	.....	Assault, third degree.	10 days jail or \$10.
1		1	.....	Assault, third degree.	Suspended.
1		1	.....	Intoxication	6 months penitentiary.
4		3	1	Intoxication	3 months penitentiary.
8		8	.....	Intoxication	2 months penitentiary.
1		.....	1	Intoxication	90 days jail.
1		9	.....	Intoxication	60 days jail.
1		9	.....	Intoxication	30 days jail.
6		1	.....	Intoxication	25 days jail.
19		19	.....	Intoxication	15 days jail.
6		6	.....	Intoxication	10 days jail or \$10
1		1	.....	Intoxication	10 days jail.
50		50	.....	Intoxication	6 days jail.
7		7	.....	Intoxication	5 days jail or \$5.
2		2	.....	Intoxication	5 days jail.
30		30	.....	Intoxication	4 days jail.
6		6	.....	Intoxication	3 days jail or \$3.
346		332	13	Intoxication	Suspended.

1	1	Misdemeanor	50 days jail or \$50.	ited.
5	4	Misdemeanor	30 days jail.	1.
1	1	Misdemeanor	25 days jail or \$25.	
3	3	Misdemeanor	15 days jail or \$15.	
20	18	Misdemeanor	10 days jail or \$10.	
2	6	Misdemeanor	10 days jail.	
6	10	Misdemeanor	5 days jail or \$5.	
10	3	Misdemeanor		
3	1	Misdemeanor		
1	2	Misdemeanor		
2	1	Misdemeanor		
1	1	Misdemeanor		
1	1	Misdemeanor		
1	1	Misdemeanor		
113	107	Misdemeanor		
2	1	Petit larceny	5 days jail or \$5.	
2	1	Petit larceny	Suspended.	
1	2	Petit larceny	4 months penitentiary.	
1	1	Petit larceny	3 months penitentiary.	
16	15	Petit larceny	2 months penitentiary.	
1	1	Vagrancy	60 days jail.	
2	2	Vagrancy	30 days jail.	
4	4	Vagrancy	15 days jail.	
1	5	Vagrancy	5 days jail.	
4	2	Vagrancy	3 days jail or \$3.	
2	2	Vagrancy	Suspended.	
27	23	Vagrancy		

Total, 751; men, 717; women, 34.

1	1	Assault, third degree.	
1	1	Assault, third degree.	
1	1	Assault, third degree.	
4	4	Assault, third degree.	
1	1	Intoxication	
3	3	Intoxication	
2	2	Intoxication	
2	2	Intoxication	
3	3	Intoxication	
6	6	Intoxication	
12	12	Intoxication	
1	1	Intoxication	
9	9	Intoxication	
17	17	Intoxication	
6	6	Intoxication	
5	5	Intoxication	

Third quarter

TABLE K — COUNTY OF CHEMUNG — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
6	Third quarter	5	...	Intoxication	3 days jail or \$3.
5		5	...	Intoxication	3 days jail.
9		90	1	Intoxication	Suspended.
1		2	...	Misdemeanor	6 months penitentiary.
1		1	...	Misdemeanor	4 months penitentiary.
1		1	...	Misdemeanor	60 days jail.
1		1	...	Misdemeanor	15 days jail or \$15.
1		1	...	Misdemeanor	10 days jail or \$10.
2		2	...	Misdemeanor	10 days jail.
2		2	...	Misdemeanor	5 days jail or \$5.
7		7	...	Misdemeanor	5 days jail or \$3.
1		1	...	Misdemeanor	5 days jail.
1		1	...	Misdemeanor	3 days jail or \$3.
1		4	...	Misdemeanor	3 days jail.
1		1	...	Misdemeanor	3 days jail.
...		...	...	Misdemeanor	2 days jail or \$2.
8		8	1	Misdemeanor	Fined \$10.
10		10	...	Misdemeanor	Fined \$2.50.
...		...	...	Misdemeanor	Fined \$1.50.
1		1	...	Misdemeanor	Fined \$1; probation.
2		2	...	Misdemeanor	Fined \$1.
...		...	...	Misdemeanor	Asylum.
26		26	2	Misdemeanor	Suspended.
1		1	...	Petit larceny	3 months penitentiary.
1		1	...	Petit larceny	180 days jail and \$50.
2		2	...	Petit larceny	120 days jail and \$120.
1		1	...	Petit larceny	90 days jail.
1		1	...	Petit larceny	60 days jail and \$60.
1		1	...	Petit larceny	60 days jail.
1		1	...	Petit larceny	25 days jail or \$25.
1		1	...	Petit larceny	15 days jail or \$15.
1		1	...	Petit larceny	10 days jail.
1		1	...	Petit larceny	Suspended.
1		1	...	Vagrancy	2 months penitentiary.
1		1	...	Vagrancy	90 days jail.

11	11	Intoxication	.....	.....	Fined \$5.
2	2	Intoxication	.....	.....	Fined \$3; probation.
1	1	Intoxication	.....	.....	Fined \$3.
3	3	Intoxication	.....	.....	Not stated.
6	6	Intoxication	.....	.....	Suspended.
1	1	Misdemeanor	.....	.....	Fined \$10.
1	1	Misdemeanor	.....	1	Fined \$5.
1	1	Misdemeanor	.....	.....	Fined \$3.
2	2	Misdemeanor	.....	.....	Suspended; probation.
3	3	Misdemeanor	.....	.....	Suspended.
2	2	Misdemeanor	.....	.....	Fined \$10.
1	1	Petit larceny	.....	.....	6 months penitentiary.
1	1	Vagrancy	.....	.....	4 months penitentiary.
1	1	Vagrancy	.....	.....	Suspended.
		Total, 75; men, 73; women, 2.			
1	1	Assault, third degree.	.....	.....	25 days jail or \$25.
1	1	Assault, third degree.	.....	.....	10 days jail.
1	1	Assault, third degree.	.....	.....	5 days jail or \$5.
1	1	Intoxication	.....	.....	150 days jail and \$20.
1	1	Intoxication	.....	.....	120 days jail and \$20.
1	1	Intoxication	.....	.....	120 days jail.
2	2	Intoxication	.....	.....	90 days jail.
1	1	Intoxication	.....	.....	60 days jail.
1	1	Intoxication	.....	.....	45 days jail.
1	1	Intoxication	.....	.....	25 days jail or \$25.
2	2	Intoxication	.....	.....	15 days jail or \$15.
1	1	Intoxication	.....	.....	12 days jail.
1	1	Intoxication	.....	.....	10 days jail and \$10.
4	4	Intoxication	.....	.....	10 days jail or \$10.
4	4	Intoxication	.....	.....	10 days jail.
1	1	Intoxication	.....	.....	7 days jail.
10	10	Intoxication	.....	.....	5 days jail or \$5.
12	12	Intoxication	.....	.....	3 days jail or \$3.
1	1	Intoxication	.....	.....	Fined \$10.
1	1	Intoxication	.....	1	Fined \$7.
5	5	Intoxication	.....	.....	Suspended.
2	2	Misdemeanor	.....	.....	50 days jail or \$50.
.....	.....	Misdemeanor	.....	1	40 days jail or \$40.
.....	.....	Misdemeanor	.....	1	15 days jail and \$25.
1	1	Misdemeanor	.....	.....	10 days jail or \$10.
1	1	Misdemeanor	.....	.....	3 days jail or \$3.
1	1	Misdemeanor	.....	.....	Fined \$10.
2	2	Misdemeanor	.....	.....	State Industrial School.
1	1	Misdemeanor	.....	.....	Suspended.
2	2	Petit larceny	.....	.....	50 days jail.
1	1	Petit larceny	.....	.....	10 days jail.
1	1	Petit larceny	.....	.....	Suspended.

TABLE K — COUNTY OF CHENANGO — (Continued)

Number of convictions	When convicted	Males	Females	Offense	Sentence
1	Second quarter	1		Vagrancy	3 months penitentiary.
1		1		Vagrancy	30 days jail.
1		1		Vagrancy	15 days jail.
1			1	Vagrancy	Suspended.
				Total, 72; men, 68; women, 4.	
1	Third quarter	1		degree.	90 days jail.
1		1		degree.	25 days jail.
1		1			180 days jail.
1		1			120 days jail.
2		2			90 days jail.
1		1			30 days jail and \$15.
1		1			30 days jail or \$30.
1		1			15 days jail.
9		9			10 days jail or \$10.
1		1			10 days jail.
1		1			7 days jail.
1		1			5 days jail or \$5.
2		2			5 days jail.
17		17			3 days jail or \$3.
1		1		Intoxication	Fined \$10; probation.
1		1		Intoxication	Fined \$5; probation.
1		1		Intoxication	Fined \$5.
16		16		Intoxication	Suspended.
2		2		Misdemeanor	180 days jail.
1		1		Misdemeanor	25 days jail or \$25.
4		4		Misdemeanor	5 days jail or \$5.
1		1		Misdemeanor	Fined \$15.
			1	Misdemeanor	Asylum.
8		8		Misdemeanor	Suspended.
1		1		Patit larceny	Suspended.
1		1		Vagrancy	180 days jail.
1			1	Vagrancy	Asylum.
3		3		Vagrancy	Suspended.
				Total, 92; men, 90; women, 2.	

TABLE K — COUNTY OF CLINTON — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Second quarter	1	.....	Assault, third degree.....	10 days jail.
1		.....	1	Intoxication	4 months penitentiary.
1		1	.....	Intoxication	120 days jail.
1		3	.....	Intoxication	30 days jail.
3		1	.....	Intoxication	20 days jail.
1		4	.....	Intoxication	10 days jail.
4		6	.....	Intoxication	5 days jail.
6		1	.....	Intoxication	4 days jail.
1		1	.....	Intoxication	3 days jail.
1		1	.....	Intoxication	Fined \$10.
1		4	.....	Intoxication	Fined \$5.
4		3	.....	Intoxication	Fined \$3.
3		1	.....	Intoxication	Probation.
1		37	3	Intoxication	Suspended.
40		1	.....	Misdemeanor	3 months penitentiary.
1		.....	1	Misdemeanor	6 months jail.
1		1	.....	Misdemeanor	2 days jail.
1		1	.....	Misdemeanor	1 day jail.
1		2	.....	Misdemeanor	Fined \$5.
1		1	.....	Misdemeanor	Fined \$3.
2		.....	1	Misdemeanor	Asylum.
1		3	.....	Misdemeanor	Bond required.
1		1	.....	Misdemeanor	Probation.
1		3	1	Misdemeanor	Suspended.
1		1	.....	Petit larceny	Fined \$25.
2		2	.....	Petit larceny	Asylum.
2		1	.....	Petit larceny	Suspended.
1		1	.....	Vagrancy	6 months penitentiary.
4		3	1	Vagrancy	Suspended.
				Total, 94; men, 86; women, 8.	
1	Third quarter	1	.....	Assault, third degree.....	20 days jail or \$20.
1		1	.....	Intoxication	60 days jail.
1		1	.....	Intoxication	60 days jail.
1		1	.....	Intoxication	30 days jail.
1		1	.....	Intoxication	10 days jail.

1	1	Intoxication	.....	5 days jail or \$5.
2	2	Intoxication	.....	Suspended.
4	4	Misdemeanor	.....	3 months penitentiary.
1	1	Misdemeanor	.....	20 days jail or \$20.
1	1	Misdemeanor	.....	10 days jail or \$10.
1	1	Misdemeanor	.....	Asylum.
1	1	Misdemeanor	.....	State Industrial School.
1	1	Petit larceny	.....	30 days jail.
Total, 17; men, 12; women, 5.				
1	1	Assault, third degree	.....	60 days jail.
1	1	Assault, third degree	.....	30 days jail.
1	1	Assault, third degree	.....	10 days jail.
1	1	Assault, third degree	.....	2 days jail.
1	1	Assault, third degree	.....	1 day jail.
1	1	Assault, third degree	.....	Fined \$14.
2	2	Assault, third degree	.....	Fined \$5.
1	1	Assault, third degree	.....	Not stated.
1	1	Assault, third degree	.....	Probation.
3	3	Assault, third degree	.....	Suspended; probation.
1	1	Assault, third degree	.....	Suspended.
1	1	Intoxication	.....	4 months penitentiary.
2	2	Intoxication	.....	3 months penitentiary.
1	1	Intoxication	.....	2 months penitentiary.
1	1	Intoxication	.....	90 days jail.
3	3	Intoxication	.....	60 days jail.
10	10	Intoxication	.....	30 days jail.
1	1	Intoxication	.....	25 days jail.
1	1	Intoxication	.....	15 days jail or \$15.
1	1	Intoxication	.....	10 days jail or \$10.
25	25	Intoxication	.....	10 days jail.
6	6	Intoxication	.....	7 days jail or \$7.
1	1	Intoxication	.....	5 days jail and \$5.
3	3	Intoxication	.....	5 days jail or \$5.
33	33	Intoxication	.....	5 days jail or \$3.
27	27	Intoxication	.....	5 days jail.
7	7	Intoxication	.....	3 days jail or \$3.
20	20	Intoxication	.....	3 days jail.
8	8	Intoxication	.....	2 1/4 days jail or \$2.50.
1	1	Intoxication	.....	2 days jail or \$2.
1	1	Intoxication	.....	2 days jail.
1	1	Intoxication	.....	1 day jail or \$1.
7	7	Intoxication	.....	1 day jail.
3	3	Intoxication	.....	Fined \$5.
4	4	Intoxication	.....	Fined \$3.
1	1	Intoxication	.....	Alms-house.
4	4	Intoxication	.....	Not stated.

TABLE K — COUNTY OF CLINTON — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
4	Fourth quarter	4	.....3	Intoxication	Probation.
117		114	.....	Intoxication	Suspended.
1		1	.....	Misdemeanor	3 months penitentiary.
1		1	.....	Misdemeanor	50 days jail or \$50.
2		2	.....	Misdemeanor	30 days jail or \$30.
1		1	.....	Misdemeanor	20 days jail or \$20.
7		7	.....	Misdemeanor	10 days jail or \$10.
4		4	.....	Misdemeanor	10 days jail.
53		51	.....2	Misdemeanor	5 days jail or \$5.
1		1	.....	Misdemeanor	5 days jail.
1		.....	.....1	Misdemeanor	4 days jail or \$4.
1		1	.....	Misdemeanor	2 days jail or \$2.
1		1	.....	Misdemeanor	2 days jail.
2		2	.....	Misdemeanor	1 day jail or \$1.
1		1	.....	Misdemeanor	1 day jail.
3		3	.....	Misdemeanor	Fined \$5.
1		1	.....	Misdemeanor	Bond required \$200.
2		2	.....	Misdemeanor	Bond required ; not stated.
1		1	.....	Misdemeanor	Asylum.
2		2	.....	Misdemeanor	Banished.
9		.....4	.....	Misdemeanor	Not stated.
9		2	.....	Misdemeanor	Probation.
1		.....	.....	Misdemeanor	State Industrial School.
2		1	.....	Misdemeanor	Suspended ; probation.
19		17	.....2	Misdemeanor	Suspended.
1		1	.....	Petit larceny	90 days jail.
1		1	.....	Petit larceny	30 days jail or \$30.
1		1	.....	Petit larceny	30 days jail.
1		1	.....	Petit larceny	5 days jail or \$5.
1		1	.....	Petit larceny	5 days jail.
1		1	.....	Petit larceny	Not stated.
1		3	.....2	Vagrancy	3 months penitentiary.
1		.....	.....6	Vagrancy	2 months penitentiary.
1		1	.....	Vagrancy	90 days jail or \$10.
1		1	.....	Vagrancy	10 days jail or \$10.
1		1	.....2	Vagrancy	3 days jail.
1		1	.....	Vagrancy	3 days jail.

TABLE K—COUNTY OF COLUMBIA—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
3	Second quarter	3		Misdemeanor	10 days jail.
1		1		Misdemeanor	5 days jail.
1		1		Petit larceny	2 months penitentiary.
1		1		Petit larceny	120 days jail.
1		1		Petit larceny	59 days jail.
1		1		Petit larceny	30 days jail.
2		2		Vagrancy	2 months penitentiary.
1		1		Vagrancy	21 days jail.
Total, 73; men, 70; women, 3.					
1	Third quarter	1		Assault, third degree.	and \$50.
1		1		Assault, third degree.	
1		1		Assault, third degree.	
1		1		Intoxication	
1		1	1	Intoxication	
6		6		Intoxication	
5		5		Intoxication	
1		1		Intoxication	
1		1		Intoxication	
1		1		Intoxication	
1		1		Misdemeanor	
1		1		Misdemeanor	
3		3	2	Misdemeanor	
3		3		Misdemeanor	
1		1		Misdemeanor	
1		1		Misdemeanor	
1		1		Petit larceny	5 months penitentiary.
3		3		Petit larceny	3 months penitentiary.
1		1		Vagrancy	2 months penitentiary.
Total, 34; men, 31; women, 3.					
1	Fourth quarter	1		Assault, third degree.	50 days jail.
1		1		Assault, third degree.	10 days jail.
1		1		Assault, third degree.	Fined \$10.

1	1	Intoxication	.....	2 months penitentiary.
1	1	Intoxication	.....	20 days jail.
2	1	Intoxication	.....	15 days jail.
2	2	Intoxication	.....	10 days jail.
2	2	Intoxication	.....	5 days jail.
1	1	Intoxication	.....	Bedford reformatory.
1	1	Misdemeanor	.....	2 months penitentiary.
1	1	Misdemeanor	.....	50 days penitentiary or \$50.
1	1	Misdemeanor	.....	30 days jail.
1	1	Misdemeanor	.....	6 days jail.
1	1	Misdemeanor	.....	5 days jail.
1	2	Misdemeanor	.....	Asylum.
1	1	Petit larceny	.....	2 months penitentiary.
1	1	Vagrancy	.....	6 months penitentiary.
Total, 22; men, 16; women, 6.				

COUNTY OF CORTLAND

1	1	Assault, third degree	.....	35 days jail or \$35.
1	1	Assault, third degree	.....	30 days jail or \$30.
1	1	Assault, third degree	.....	10 days jail or \$10.
1	1	Assault, third degree	.....	5 days jail or \$5.
1	1	Assault, third degree	.....	Suspended; probation.
2	2	Intoxication	.....	6 months penitentiary.
3	3	Intoxication	.....	59 days jail.
2	2	Intoxication	.....	40 days jail.
1	1	Intoxication	.....	30 days jail.
4	4	Intoxication	.....	20 days jail.
3	3	Intoxication	.....	10 days jail or \$10.
3	3	Intoxication	.....	10 days jail.
9	9	Intoxication	.....	5 days jail or \$5.
1	1	Intoxication	.....	5 days jail.
1	1	Intoxication	.....	Fined \$10.
3	3	Intoxication	.....	Banished.
4	4	Intoxication	.....	Suspended; probation.
4	4	Intoxication	.....	Suspended.
42	42	Intoxication	.....	6 months penitentiary.
1	1	Misdemeanor	.....	59 days jail and \$50.
2	2	Misdemeanor	.....	30 days jail or \$30.
1	1	Misdemeanor	.....	25 days jail or \$25.
1	1	Misdemeanor	.....	15 days jail or \$15.
2	2	Misdemeanor	.....	10 days jail or \$10.
4	4	Misdemeanor	.....	5 days jail or \$5.
1	1	Misdemeanor	.....	Fined \$10.
1	1	Misdemeanor	.....	Fined \$5.
1	1	Misdemeanor	.....	Banished.
1	1	Misdemeanor	.....
First quarter				
1	1			
1	1			
1	1			
1	1			
1	2			
3	3			
2	2			
1	4			
3	3			
3	3			
9	9			
1	1			
1	1			
3	3			
4	4			
42	42			
1	1			
2	2			
1	1			
1	1			
2	2			
4	4			
1	1			
1	1			
1	1			
1	1			

TABLE K — COUNTY OF CORTLAND — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	First quarter	2	.....	Misdemeanor	Bond required.
1		1	.....	Misdemeanor	Not stated.
4		2	2	Misdemeanor	Suspended ; probation.
1		1	.....	Misdemeanor	Suspended.
1		1	.....	Petit larceny	12 months penitentiary.
1		1	.....	Petit larceny	6 months penitentiary.
1		1	.....	Petit larceny	25 days jail or \$25.
2		2	.....	Petit larceny	15 days jail or \$15.
1		1	.....	Petit larceny	10 days jail or \$10.
1		1	.....	Petit larceny	Suspended.
5		4	1	Vagrancy	Asylum.
1		1	.....	Vagrancy	State Industrial School.
Total, 120 ; men, 117 ; women, 3.					
1	Second quarter	1	.....	Assault, third degree	3 months penitentiary.
1		1	.....	Assault, third degree	50 days jail or \$50.
1		1	.....	Assault, third degree	Suspended ; probation.
1		1	.....	Intoxication	40 days jail.
1		1	.....	Intoxication	30 days jail.
4		4	.....	Intoxication	20 days jail.
1		1	.....	Intoxication	10 days jail or \$10 ; probation.
3		3	.....	Intoxication	10 days jail or \$10.
4		4	.....	Intoxication	10 days jail.
10		10	.....	Intoxication	5 days jail or \$5.
3		3	.....	Intoxication	5 days jail.
2		2	.....	Intoxication	3 days jail or \$3.
1		1	.....	Intoxication	Fined \$5.
1		1	.....	Intoxication	Banished.
3		3	.....	Intoxication	Suspended ; probation.
48		48	.....	Intoxication	Suspended.
1		1	.....	Misdemeanor	6 months penitentiary and \$50.
1		1	.....	Misdemeanor	4 months penitentiary.
1		1	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	20 days jail or \$20.
1		1	.....	Misdemeanor	15 days jail or \$15.

TABLE K — COUNTY OF CORTLAND — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	.....	Misdemeanor	Probation.
7		7	.....	Misdemeanor	Suspended; probation.
6		5	1	Misdemeanor	Suspended.
1		1	.....	Petit larceny	30 days jail.
1		.....	1	Petit larceny	Asylum.
2		2	.....	Petit larceny	Suspended; probation.
1		1	.....	Vagrancy	30 days jail.
1		1	.....	Vagrancy	Suspended; probation.
2		1	.....	Vagrancy	Suspended.
1		1	.....	Vagrancy	Suspended.
Total, 187; men, 181; women, 6.					
1	Fourth quarter	1	.....	Assault, third degree	50 days jail.
1		1	.....	Assault, third degree	10 days jail.
1		1	.....	Assault, third degree	Fined \$40.
1		1	.....	Intoxication	6 months penitentiary.
2		2	.....	Intoxication	59 days jail.
2		2	.....	Intoxication	30 days jail.
1		1	.....	Intoxication	25 days jail or \$25.
1		1	.....	Intoxication	20 days jail.
1		1	.....	Intoxication	10 days jail or \$10; probation.
9		9	.....	Intoxication	10 days jail or \$10.
4		4	.....	Intoxication	10 days jail.
1		1	.....	Intoxication	5 days jail or \$5; probation.
37		37	.....	Intoxication	5 days jail or \$5.
1		1	.....	Intoxication	5 days jail; probation.
5		5	.....	Intoxication	5 days jail.
15		15	.....	Intoxication	3 days jail or \$3.
2		2	.....	Intoxication	Fined \$10; probation.
3		3	.....	Intoxication	Fined \$10.
1		1	.....	Intoxication	Fined \$5; probation.
2		2	.....	Intoxication	Fined \$5.
1		1	.....	Intoxication	Not stated.
2		2	.....	Intoxication	Probation.
3		3	.....	Intoxication	Suspended; probation.
49		49	.....	Intoxication	Suspended.

1	1	Misdemeanor	.....	6 months penitentiary and \$50.
1	1	Misdemeanor	.....	5 months penitentiary.
1	1	Misdemeanor	.....	4 months penitentiary.
2	2	Misdemeanor	.....	50 days jail or \$50.
1	1	Misdemeanor	.....	30 days jail or \$30.
1	1	Misdemeanor	.....	30 days jail.
1	1	Misdemeanor	.....	25 days jail or \$25.
1	1	Misdemeanor	.....	20 days jail or \$20.
3	3	Misdemeanor	.....	15 days jail or \$15; probation.
1	1	Misdemeanor	.....	10 days jail or \$10; probation.
1	1	Misdemeanor	.....	10 days jail or \$10.
5	5	Misdemeanor	.....	10 days jail.
2	2	Misdemeanor	.....	5 days jail or \$5.
5	5	Misdemeanor	.....	1 day jail or \$1.
2	2	Misdemeanor	.....	Fined \$10.
1	1	Misdemeanor	.....	Fined \$3.
1	1	Misdemeanor	.....	Asylum.
2	2	Misdemeanor	.....	Not stated.
2	2	Misdemeanor	.....	Probation.
1	1	Misdemeanor	.....	Suspended; probation.
13	13	Misdemeanor	.....	Suspended.
8	8	Misdemeanor	.....	6 months penitentiary.
1	1	Petit larceny	.....	180 days jail.
1	1	Petit larceny	.....	40 days jail or \$40.
1	1	Petit larceny	.....	10 days jail or \$10.
1	1	Petit larceny	.....	Suspended; probation.
1	1	Petit larceny	.....	15 days jail or \$15; probation.
2	2	Vagrancy	.....	Banished.
1	1	Vagrancy	.....	Not stated.
1	1	Vagrancy	.....	Suspended.
1	1	Vagrancy	.....	Suspended.
13	13	Total, 214; men, 206; women, 8.		

COUNTY OF DELAWARE

1	1	Assault, thlrd degree	.....	Fined \$4.
1	1	Intoxication	.....	20 days jail.
1	1	Intoxication	.....	10 days jail.
1	1	Intoxication	.....	Fined \$10.
2	2	Intoxication	.....	Fined \$5.
1	1	Misdemeanor	.....	60 days jail.
1	1	Misdemeanor	.....	30 days jail.
2	2	Misdemeanor	.....	Suspended.
1	1	Total, 10; men, 10; women, 0.		

TABLE K — COUNTY OF DELAWARE — (Continued)

Number of convictions	WHEN CONVICTED	OFFENSE		SENTENCE
		Males	Females	
1	Second quarter	1	.....	Fined \$5.
1		1	.....	20 days jail.
1		1	.....	10 days jail.
1		1	.....	Fined \$15.
1		3	.....	Fined \$10.
1		1	.....	Fined \$5.
1		1	.....	Not stated.
1		1	.....	Suspended.
1		1	.....	90 days jail.
1		1	.....	170 days jail.
1			.....
		Total, 12; men, 12; women, 0.		
1	Third quarter	1	.....	30 days jail.
2		2	.....	30 days jail.
2		.....	.....	Not stated.
1		1	.....	90 days jail.
1		1	.....	5 days jail or \$5.
1		1	.....	Not stated.
1			.....
		Total, 8; men, 8; women, 0.		
1	Fourth quarter	1	.....	Suspended.
1		1	.....	3 months penitentiary.
2		1	.....	90 days jail.
1		1	.....	Fined \$10.
1		1	.....	2 months penitentiary.
1		1	.....	180 days jail.
1		1	.....	60 days jail.
1		1	.....	20 days jail and \$20.
1		1	.....	Suspended.
1		.....	.....	10 days jail and \$10.
1		2	.....	5 days jail and \$5.
1		1	.....	10 days jail.
1		1	.....
1		1	.....
		Total, 14; men, 13; women, 1.		

COUNTY OF DUTCHESS

[illegible]

TABLE K — COUNTY OF DUTCHESS — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	First quarter	1	.....	Misdemeanor	2 months penitentiary.
1		2	.....	Misdemeanor	90 days jail.
1		1	.....	Misdemeanor	60 days jail.
1		1	.....	Misdemeanor	35 days jail or \$35.
1		3	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	20 days jail.
1		1	.....	Misdemeanor	15 days jail or \$15.
1		1	.....	Misdemeanor	10 days jail.
1		2	.....	Misdemeanor	5 days jail.
1		1	.....	Misdemeanor	3 days jail or \$3.
1		1	.....	Misdemeanor	2 days jail or \$2.
1		1	.....	Misdemeanor	1 day jail or \$1.
1		1	.....	Misdemeanor	Fined \$25.
1		2	.....	Misdemeanor	Fined \$15.
1		1	.....	Misdemeanor	Fined \$10.
1		3	.....	Misdemeanor	Fined \$5.
1		1	.....	Misdemeanor	Fined \$2.
3		3	.....	Misdemeanor	Fined \$1.
.....		.....	4	Misdemeanor	Asylum.
1		1	3	Misdemeanor	Probation.
1		1	.....	Misdemeanor	State Industrial School.
17		.....	3	Misdemeanor	Suspended.
3		3	.....	Petit larceny	6 months penitentiary.
1		.....	.....	Petit larceny	4 months penitentiary.
1		1	.....	Petit larceny	3 months penitentiary.
2		1	.....	Petit larceny	2 months penitentiary.
1		1	.....	Petit larceny	60 days jail and \$50.
2		2	.....	Petit larceny	60 days jail.
2		2	.....	Petit larceny	30 days jail and \$25.
1		.....	.....	Petit larceny	30 days jail.
1		1	.....	Petit larceny	15 days jail.
1		1	.....	Petit larceny	10 days jail.
1		1	.....	Petit larceny	3 days jail or \$3.
1		1	.....	Petit larceny	Fined \$1.
1		1	.....	Petit larceny	Asylum.

2	1	Petit larceny	Probation.
1	1	Petit larceny	Suspended.
1	1	Vagrancy	6 months penitentiary.
1	1	Vagrancy	4 months penitentiary.
2	2	Vagrancy	3 months penitentiary.
2	2	Vagrancy	2 months penitentiary.
3	3	Vagrancy	60 days jail.
1	1	Vagrancy	59 days jail.
4	4	Vagrancy	20 days jail.
1	1	Vagrancy	10 days jail.
1	1	Vagrancy	5 days jail.
2	2	Vagrancy	3 days jail.
6	6	Vagrancy	Alms-house.
9	9	Vagrancy	Probation.
51	51	Vagrancy	Suspended.
Total, 436; men, 422; women, 14.			

1	1	Assault, third degree.	Fined \$25.
1	1	Assault, third degree.	Fined \$10.
1	1	Assault, third degree.	Fined \$5.
3	3	Assault, third degree.	Fined \$3.
4	4	Intoxication	
1	1	Intoxication	
1	1	Intoxication	
1	1	Intoxication	
6	6	Intoxication	
3	3	Intoxication	
4	4	Intoxication	
1	1	Intoxication	
24	24	Intoxication	
15	15	Intoxication	
1	1	Intoxication	
3	3	Intoxication	
3	3	Intoxication	
1	1	Intoxication	
1	1	Intoxication	
3	3	Intoxication	
1	1	Intoxication	
58	58	Intoxication	
3	3	Misdemeanor	
2	2	Misdemeanor	
1	1	Misdemeanor	
1	1	Misdemeanor	
1	1	Misdemeanor	
1	1	Misdemeanor	
1	1	Misdemeanor	
1	1	Misdemeanor	

Second quarter

TABLE K—COUNTY OF COLUMBIA—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
3	Second quarter	3	.....	Misdemeanor	10 days jail.
1		1	.....	Misdemeanor	5 days jail.
1		1	.....	Petit larceny	2 months penitentiary.
1		1	.....	Petit larceny	120 days jail.
1		1	.....	Petit larceny	59 days jail.
1		1	.....	Petit larceny	30 days jail.
2		2	.....	Vagrancy	2 months penitentiary.
1		1	.....	Vagrancy	21 days jail.
		Total, 73; men, 70; women, 3.			
1	Third quarter	1	.....	Assault, third degree.	
1		1	.....	Assault, third degree.	
1		1	.....	Assault, third degree.	
1		1	.....	Intoxication	and \$50.
1		1	.....	Intoxication	
6		6	.....	Intoxication	
6		6	.....	Intoxication	
1		1	.....	Intoxication	
1		1	.....	Intoxication	
1		1	.....	Misdemeanor	
1		1	.....	Misdemeanor	
3		3	.....	Misdemeanor	
8		8	.....	Misdemeanor	
1		1	.....	Misdemeanor	
1		1	.....	Misdemeanor	
1		1	.....	Petit larceny	5 months penitentiary.
3		3	.....	Petit larceny	3 months penitentiary.
1		1	.....	Vagrancy	2 months penitentiary.
		Total, 34; men, 31; women, 3.			
1	Fourth quarter	1	.....	Assault, third degree.	50 days jail.
1		1	.....	Assault, third degree.	10 days jail.
1		1	.....	Assault, third degree.	Fined \$10.

1	1	Intoxication	.....	2 months penitentiary.
1	1	Intoxication	.....	20 days jail.
1	1	Intoxication	.....	15 days jail.
2	2	Intoxication	.....	10 days jail.
2	2	Intoxication	.....	5 days jail.
.....	1	Intoxication	.....	Redford reformatory.
1	1	Misdemeanor	.....	2 months penitentiary.
1	1	Misdemeanor	.....	50 days penitentiary or \$50.
.....	1	Misdemeanor	.....	30 days jail.
.....	1	Misdemeanor	.....	6 days jail.
.....	1	Misdemeanor	.....	5 days jail.
.....	2	Misdemeanor	.....	Asylum.
1	1	Petit larceny	.....	2 months penitentiary.
1	1	Vagrancy	.....	6 months penitentiary.
1	1	Total, 22; men, 16; women, 6.		

COUNTY OF CORTLAND

1	1	Assault, third degree	.....	35 days jail or \$35.
1	1	Assault, third degree	.....	30 days jail or \$30.
1	1	Assault, third degree	.....	10 days jail or \$10.
1	1	Assault, third degree	.....	5 days jail or \$5.
1	1	Assault, third degree	.....	Suspended; probation.
2	2	Intoxication	.....	6 months penitentiary.
3	3	Intoxication	.....	50 days jail.
2	2	Intoxication	.....	40 days jail.
1	1	Intoxication	.....	30 days jail.
4	4	Intoxication	.....	20 days jail.
3	3	Intoxication	.....	10 days jail or \$10.
3	3	Intoxication	.....	10 days jail.
9	9	Intoxication	.....	5 days jail or \$5.
1	1	Intoxication	.....	5 days jail.
1	1	Intoxication	.....	Fined \$10.
1	1	Intoxication	.....	Banished.
3	4	Intoxication	.....	Suspended; probation.
4	4	Intoxication	.....	Suspended.
42	42	Intoxication	.....	6 months penitentiary.
1	1	Misdemeanor	.....	50 days jail and \$50.
2	2	Misdemeanor	.....	30 days jail or \$30.
1	1	Misdemeanor	.....	25 days jail or \$25.
1	1	Misdemeanor	.....	15 days jail or \$15.
2	4	Misdemeanor	.....	10 days jail or \$10.
4	4	Misdemeanor	.....	5 days jail or \$5.
1	1	Misdemeanor	.....	Fined \$10.
1	1	Misdemeanor	.....	Fined \$5.
1	1	Misdemeanor	.....	Banished.

TABLE K — COUNTY OF CORTLAND — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	First quarter	2	.....	Misdemeanor	Bond required.
1		1	.....	Misdemeanor	Not stated.
4		2	.....	Misdemeanor	Suspended ; probation.
1		1	.....	Misdemeanor	Suspended.
1		1	.....	Petit larceny	12 months penitentiary.
1		1	.....	Petit larceny	6 months penitentiary.
1		1	.....	Petit larceny	25 days jail or \$25.
2		1	.....	Petit larceny	15 days jail or \$15.
1		1	.....	Petit larceny	10 days jail or \$10.
1		1	.....	Petit larceny	Suspended.
1		1	.....	Petit larceny	Asylum.
5		4	1	Vagrancy	State Industrial School.
1		1	.....	Vagrancy	
1		.....	.....	Total, 120 ; men, 117 ; women, 3.	
1	Second quarter	1	.....	Assault, third degree	3 months penitentiary.
1		1	.....	Assault, third degree	50 days jail or \$50.
1		1	.....	Assault, third degree	Suspended ; probation.
1		1	.....	Intoxication	40 days jail.
1		1	.....	Intoxication	30 days jail.
4		1	.....	Intoxication	20 days jail.
1		1	.....	Intoxication	10 days jail or \$10 ; probation.
3		3	.....	Intoxication	10 days jail or \$10.
4		4	.....	Intoxication	10 days jail.
10		10	.....	Intoxication	5 days jail or \$5.
3		3	.....	Intoxication	5 days jail.
2		2	.....	Intoxication	3 days jail or \$3.
1		1	.....	Intoxication	Fined \$5.
1		.....	.....	Intoxication	Banished.
1		.....	.....	Intoxication	Suspended ; probation.
3		3	.....	Intoxication	Suspended.
48		48	.....	Intoxication	6 months penitentiary and \$50.
1		1	.....	Misdemeanor	4 months penitentiary.
1		1	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	20 days jail or \$20.
4		4	.....	Misdemeanor	15 days jail or \$15.
1		1	.....	Misdemeanor	

TABLE K — COUNTY OF CORTLAND — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	.....	Misdemeanor	Probation.
7		7	.....	Misdemeanor	Suspended; probation.
6		6	1	Misdemeanor	Suspended.
1		1	.....	Petit larceny	30 days jail.
1		.....	1	Petit larceny	Asylum.
2		2	.....	Petit larceny	Suspended; probation.
1		1	.....	Vagrancy	30 days jail.
1		1	.....	Vagrancy	Suspended; probation.
1		1	1	Vagrancy	Suspended.
1		1	.....	Vagrancy	Suspended.
Total, 187; men, 181; women, 6.					
1	Fourth quarter	1	.....	Assault, third degree	50 days jail.
1		1	.....	Assault, third degree	10 days jail.
1		1	.....	Assault, third degree	Fined \$40.
1		1	.....	Intoxication	6 months penitentiary.
2		2	.....	Intoxication	50 days jail.
2		2	.....	Intoxication	30 days jail.
1		1	.....	Intoxication	25 days jail or \$25.
1		1	.....	Intoxication	20 days jail.
1		1	.....	Intoxication	10 days jail or \$10; probation.
9		9	.....	Intoxication	10 days jail or \$10.
4		4	.....	Intoxication	10 days jail.
1		1	.....	Intoxication	5 days jail or \$5; probation.
1		1	.....	Intoxication	5 days jail or \$5.
37		37	.....	Intoxication	5 days jail; probation.
1		1	.....	Intoxication	5 days jail.
6		6	.....	Intoxication	3 days jail or \$3.
15		15	.....	Intoxication	Fined \$10; probation.
2		2	.....	Intoxication	Fined \$10.
3		3	.....	Intoxication	Fined \$5; probation.
1		1	.....	Intoxication	Fined \$5.
2		2	.....	Intoxication	Not stated.
1		1	.....	Intoxication	Probation.
2		2	.....	Intoxication	Suspended; probation.
3		3	.....	Intoxication	Suspended.
49		49	.....	Intoxication	Suspended.

TABLE K — COUNTY OF DELAWARE — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Second quarter	1	.....	Assault, third degree.....	Fined \$5.
1		1	.....	Intoxication	20 days jail.
1		1	.....	Intoxication	10 days jail.
1		1	.....	Intoxication	Fined \$15.
3		3	.....	Intoxication	Fined \$10.
1		1	.....	Intoxication	Fined \$5.
1		1	.....	Intoxication	Not stated.
1		1	.....	Intoxication	Suspended.
1		1	.....	Petit larceny	90 days jail.
1		1	.....	Vagrancy	179 days jail.
				Total, 12; men, 12; women, 0.	
1	Third quarter	1	.....	Assault, third degree.....	30 days jail.
2		2	.....	Misdemeanor	30 days jail.
2		2	.....	Misdemeanor	Not stated.
1		1	.....	Petit larceny	90 days jail.
1		1	.....	Petit larceny	5 days jail or \$5.
1		1	.....	Petit larceny	Not stated.
				Total, 8; men, 8; women, 0.	
1	Fourth quarter	1	.....	Assault, third degree.....	Suspended.
1		1	.....	Intoxication	3 months penitentiary.
2		2	.....	Intoxication	90 days jail.
1		1	.....	Intoxication	Fined \$10.
1		1	.....	Misdemeanor	2 months penitentiary.
1		1	.....	Misdemeanor	180 days jail.
1		1	.....	Misdemeanor	60 days jail.
1		1	.....	Misdemeanor	20 days jail and \$20.
1		1	.....	Misdemeanor	Suspended.
1		1	.....	Petit larceny	10 days jail and \$10.
2		2	.....	Petit larceny	5 days jail and \$5.
1		1	.....	Vagrancy	10 days jail.
				Total, 14; men, 13; women, 1.	

COUNTY OF DUTCHESS

[illegible]

TABLE K — COUNTY OF DUTCHESS — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	First quarter	1	.....	Misdemeanor	2 months penitentiary.
2		2	.....	Misdemeanor	90 days jail.
1		1	.....	Misdemeanor	60 days jail.
1		1	.....	Misdemeanor	35 days jail or \$35.
3		3	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	20 days jail.
1		1	.....	Misdemeanor	15 days jail or \$15.
1		1	.....	Misdemeanor	10 days jail.
1		1	.....	Misdemeanor	5 days jail.
1		1	.....	Misdemeanor	3 days jail or \$3.
1		1	.....	Misdemeanor	2 days jail or \$2.
1		1	.....	Misdemeanor	1 day jail or \$1.
1		1	.....	Misdemeanor	Fined \$25.
1		1	.....	Misdemeanor	Fined \$15.
1		1	.....	Misdemeanor	Fined \$10.
3		3	.....	Misdemeanor	Fined \$5.
1		1	.....	Misdemeanor	Fined \$2.
3		3	.....	Misdemeanor	Fined \$1.
4		4	.....	Misdemeanor	Asylum.
4		3	.....	Misdemeanor	Probation.
1		1	.....	Misdemeanor	State Industrial School.
20		17	.....	Misdemeanor	Suspended.
3		3	.....	Petit larceny	6 months penitentiary.
1		1	.....	Petit larceny	4 months penitentiary.
1		1	.....	Petit larceny	3 months penitentiary.
2		2	.....	Petit larceny	2 months penitentiary.
1		1	.....	Petit larceny	60 days jail and \$50.
2		2	.....	Petit larceny	60 days jail.
2		2	.....	Petit larceny	30 days jail and \$25.
1		1	.....	Petit larceny	30 days jail.
1		1	.....	Petit larceny	15 days jail.
1		1	.....	Petit larceny	10 days jail.
1		1	.....	Petit larceny	3 days jail or \$3.
1		1	.....	Petit larceny	Fined \$1.
1		1	.....	Petit larceny	Asylum.

TABLE K — COUNTY OF DUTCHESS — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	Second quarter . . . . .	.....	2	Misdemeanor	Asylum.
1		1	.....	Misdemeanor	Probation.
16		15	.....	Misdemeanor	Suspended.
3		3	.....	Petit larceny	0 months penitentiary.
1		1	.....	Petit larceny	30 days jail.
1		1	.....	Petit larceny	15 days jail.
1		1	.....	Petit larceny	5 days jail.
1		1	.....	Petit larceny	Fined \$10.
1		1	.....	Petit larceny	Asylum.
1		1	.....	Petit larceny	Probation.
1		1	.....	Petit larceny	Suspended.
1		5	1	Petit larceny	0 months penitentiary.
1		1	.....	Vagrancy	4 months penitentiary.
1		5	.....	Vagrancy	3 months penitentiary.
1		1	.....	Vagrancy	2 months penitentiary.
1		1	.....	Vagrancy	30 days jail.
1		1	.....	Vagrancy	10 days jail.
2		2	.....	Vagrancy	5 days jail.
1		1	.....	Vagrancy	Adjudged a vagrant.
1		1	1	Vagrancy	Asylum.
1		1	.....	Vagrancy	Banished.
1		1	.....	Vagrancy	Suspended.
Total, 213; men, 205; women, 8.					
1	Third quarter	1	.....	Assault, third degree	00 days jail.
1		1	.....	Assault, third degree	5 days jail.
3		3	.....	Assault, third degree	Fined \$10.
4		3	1	Assault, third degree	Fined \$5.
2		1	1	Assault, third degree	Asylum.
4		4	.....	Assault, third degree	Suspended.
2		2	.....	Intoxication	4 months penitentiary.
2		2	.....	Intoxication	00 days jail.
1		1	.....	Intoxication	30 days jail.
2		2	.....	Intoxication	20 days jail.
1		1	.....	Intoxication	15 days jail.
6		6	.....	Intoxication	

52	49	8	Intoxication	.....	10 days jail.
51	51	.....	Intoxication	.....	5 days jail.
1	1	.....	Intoxication	.....	4 days jail.
5	5	.....	Intoxication	.....	2 days jail.
4	4	.....	Intoxication	.....	Fined \$5.
1	.....	1	Intoxication	.....	Banished.
1	.....	.....	Intoxication	.....	Not stated.
28	25	8	Intoxication	.....	Suspended.
2	2	.....	Misdemeanor	.....	6 months penitentiary.
1	1	.....	Misdemeanor	.....	2 months penitentiary.
1	1	.....	Misdemeanor	.....	120 days jail.
1	1	.....	Misdemeanor	.....	80 days jail.
5	5	.....	Misdemeanor	.....	Fined \$10.
20	20	.....	Misdemeanor	.....	Fined \$5.
14	14	.....	Misdemeanor	.....	Fined \$3.
48	48	.....	Misdemeanor	.....	Fined \$2.
10	10	.....	Misdemeanor	.....	Fined \$1.
1	.....	1	Misdemeanor	.....	Asylum.
1	1	.....	Misdemeanor	.....	Bond required ; not stated.
1	1	.....	Misdemeanor	.....	Not stated.
1	1	.....	Misdemeanor	.....	Probation.
1	30	1	Misdemeanor	.....	Suspended.
40	1	.....	Petit larceny	.....	4 months penitentiary.
1	1	.....	Petit larceny	.....	60 days jail.
1	1	.....	Petit larceny	.....	Probation.
1	1	.....	Vagrancy	.....	6 months penitentiary.
3	1	.....	Vagrancy	.....	4 months penitentiary.
7	7	.....	Vagrancy	.....	3 months penitentiary.
1	1	.....	Vagrancy	.....	60 days jail.
1	1	.....	Vagrancy	.....	10 days jail.
2	5	.....	Vagrancy	.....	Alms-house.
5	.....	1	Vagrancy	.....	Asylum.
1	.....	.....	Total, 338 ; men, 326 ; women, 12.		

1	1	.....	Assault, third degree	.....	60 days jail.
1	1	.....	Assault, third degree	.....	30 days jail.
1	1	.....	Assault, third degree	.....	10 days jail.
1	1	.....	Assault, third degree	.....	Fined \$20 ; probation.
1	1	.....	Assault, third degree	.....	Fined \$20.
1	1	.....	Assault, third degree	.....	Fined \$10 ; probation.
2	2	1	Assault, third degree	.....	Fined \$10.
1	1	.....	Assault, third degree	.....	Fined \$3.
7	7	.....	Assault, third degree	.....	Suspended.
1	1	.....	Intoxication	.....	90 days jail.
3	3	.....	Intoxication	.....	30 days jail.
1	1	.....	Intoxication	.....	20 days jail.

TABLE K — COUNTY OF DUTCHESS — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Fourth quarter	1	.....	Intoxication	15 days jail.
29		28	1	Intoxication	10 days jail.
38		38	.....	Intoxication	5 days jail.
3		3	.....	Intoxication	3 days jail.
1		1	.....	Intoxication	2 days jail.
1		1	.....	Intoxication	Fined \$10.
4		3	1	Intoxication	Fined \$5.
1		1	.....	Intoxication	Fined \$3.
1		1	.....	Intoxication	Probation.
1		1	.....	Intoxication	Suspended.
30		28	2	Intoxication	Suspended.
1		1	.....	Misdemeanor	4 months penitentiary.
1		1	.....	Misdemeanor	120 days jail.
1		1	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	10 days jail.
2		3	1	Misdemeanor	5 days jail.
3		1	.....	Misdemeanor	4 days jail.
1		1	.....	Misdemeanor	Fined \$15.
1		1	.....	Misdemeanor	Fined \$10.
2		8	.....	Misdemeanor	Fined \$5.
8		17	.....	Misdemeanor	Fined \$3.
1		3	.....	Misdemeanor	Fined \$2.
3		6	.....	Misdemeanor	Fined \$1.
6		1	.....	Misdemeanor	Adjudged a disorderly person.
1		1	.....	Misdemeanor	Asylum.
2		1	1	Misdemeanor	Suspended.
40		38	2	Misdemeanor	6 months penitentiary.
3		3	.....	Petit larceny	3 months penitentiary.
1		1	.....	Petit larceny	60 days jail.
1		1	.....	Petit larceny	20 days jail.
2		1	.....	Petit larceny	10 days jail and \$25.
1		1	.....	Petit larceny	Fined \$15.
19		19	.....	Petit larceny	Suspended.
8		8	.....	Vagrancy	6 months penitentiary.
2		2	.....	Vagrancy	2 months penitentiary.
1		1	.....	Vagrancy	Penitentiary; not stated.
1		1	.....	Vagrancy	30 days jail.

1	1	Vagrancy	.....	5 days jail.
3	3	Vagrancy	.....	Asylum.
2	2	Vagrancy	.....	Probation.
9	9	Vagrancy	.....	Suspended.
Total, 200; men, 250; women, 10.				
COUNTY OF ERIE				
1	1	Assault, third degree.	.....	\$50.
4	4	Assault, third degree.	.....	\$25.
1	1	Assault, third degree.	.....	\$15.
2	2	Assault, third degree.	.....
2	2	Assault, third degree.	.....
4	4	Assault, third degree.	.....
2	2	Assault, third degree.	.....
1	1	Assault, third degree.	.....	\$10.
1	1	Assault, third degree.	.....	15.
4	4	Assault, third degree.	.....	13.
2	1	Assault, third degree.	.....
1	1	Assault, third degree.	.....
1	1	Assault, third degree.	.....
3	1	Assault, third degree.	.....
3	3	Assault, third degree.	.....
3	3	Assault, third degree.	.....
1	1	Assault, third degree.	.....
4	4	Assault, third degree.	.....
53	53	Intoxication	.....	6 months penitentiary.
2	2	Intoxication	.....	4 months penitentiary.
68	1	Intoxication	.....
130	3	Intoxication	.....
329	2	Intoxication	.....
8	2	Intoxication	.....
1	1	Intoxication	.....
1	1	Intoxication	.....
6	1	Intoxication	.....	\$15.
1	1	Intoxication	.....	\$12.
699	6	Intoxication	.....	\$10.
48	5	Intoxication	.....	15.
1,121	5	Intoxication	.....	14.
10	2	Intoxication	.....	13.
2	4	Intoxication	.....	12.
4	2	Intoxication	.....
2	1	Intoxication	.....
1	1	Intoxication	.....

TABLE K—COUNTY OF ERIE—(Continued)

Number of convictions	When convicted	Males	Females	Offense	Sentence
6	Second quarter	5	1	Assault, third degree	5 days penitentiary or \$5.
1		1		Assault, third degree	Fined \$16.
1		1		Assault, third degree	Fined \$10.
3		3		Assault, third degree	Fined \$5.
1		1		Assault, third degree	
28		28		Intoxication	
27		26	1	Intoxication	
69		63	6	Intoxication	
152		248	4	Intoxication	
1		1		Intoxication	
1		1		Intoxication	
12		12		Intoxication	10
3		3		Intoxication	15.
13		13		Intoxication	5.
610		601	9	Intoxication	0.
57		57		Intoxication	
553		551	2	Intoxication	
2		2		Intoxication	
1		1		Intoxication	
3		3		Intoxication	
1		1		Intoxication	
26		2	26	Intoxication	
2		2		Intoxication	
2		2		Intoxication	
2		2		Intoxication	
12		9	3	Misdemeanor	
2		2		Misdemeanor	
6		4	1	Misdemeanor	
7		5	2	Misdemeanor	
22		20	2	Misdemeanor	
1		1		Misdemeanor	1250.
1		1		Misdemeanor	100.
2		1	1	Misdemeanor	10.
1		1		Misdemeanor	50.
1		1		Misdemeanor	100
80		75	5	Misdemeanor	
7		1	6	Misdemeanor	

4	4	Misdemeanor	3 days jail or \$3.
3	3	Misdemeanor	2 days jail or \$2.
3	3	Misdemeanor	1 day jail or \$1.
7	1	Misdemeanor	Bond required \$500.
18	18	Misdemeanor	Bond required \$300.
3	3	Misdemeanor	Fined \$10.
2	2	Misdemeanor	Fined \$5.
1	1	Misdemeanor	Fined \$2.50; probation.
1	1	Misdemeanor	Fined \$1; probation.
1	1	Misdemeanor	Asylum.
17	17	Misdemeanor	State Industrial School.
8	1	Misdemeanor	Suspended.
4	1	Petit larceny	3 months penitentiary.
12	1	Petit larceny	2 months penitentiary.
1	1	Petit larceny	1 month penitentiary.
8	1	Petit larceny	30 days penitentiary or \$50.
17	1	Petit larceny	25 days penitentiary or \$25.
3	1	Petit larceny	20 days penitentiary or \$20.
9	1	Petit larceny	15 days penitentiary or \$15.
1	1	Petit larceny	10 days penitentiary or \$10.
1	1	Petit larceny	5 days penitentiary or \$5.
10	1	Petit larceny	any.
4	1	Petit larceny	
1	1	Petit larceny	
1	1	Petit larceny	
1	1	Petit larceny	
1	1	Petit larceny	
3	1	Petit larceny	
2	1	Petit larceny	
28	5	Vagrancy	Suspended.
1	1	Vagrancy	6 months penitentiary.
20	1	Vagrancy	4 months penitentiary.
11	1	Vagrancy	3 months penitentiary.
53	2	Vagrancy	2 months penitentiary.
12	1	Vagrancy	
4	1	Vagrancy	
24	24	Vagrancy	
1	1	Vagrancy	

Total, 1,422; men, 1,289; women, 133

COUNTY OF ESSEX

1	1	Assault, third degree	180 days jail.
1	1	Assault, third degree	90 days jail.
1	1	Assault, third degree	30 days jail.
1	1	Assault, third degree	25 days jail or \$25.
2	2	Assault, third degree	Fined \$25

TABLE IX -- COUNTY OF ESSEX -- (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	First quarter	2	.....	Assault, third degree.....	Fined \$15.
1		.....	1	Assault, third degree.....	Fined \$5.
9		8	1	Assault, third degree.....	Suspended.
1		1	.....	Intoxication	180 days jail.
4		3	1	Intoxication	90 days jail.
6		6	.....	Intoxication	60 days jail.
3		3	.....	Intoxication	30 days jail.
3		3	.....	Intoxication	10 days jail or \$10.
4		4	.....	Intoxication	8 days jail or \$8.25.
7		7	.....	Intoxication	5 days jail or \$5.
4		4	.....	Intoxication	Fined \$10.
9		9	.....	Intoxication	Fined \$5.
36		36	.....	Intoxication	Suspended.
1		1	.....	Misdemeanor	120 days jail.
1		.....	1	Misdemeanor	90 days jail.
1		1	.....	Misdemeanor	60 days jail.
1		1	.....	Misdemeanor	30 days jail.
1		.....	1	Misdemeanor	5 days jail or \$5.
1		1	.....	Misdemeanor	Fined \$1.
3		3	.....	Misdemeanor	Suspended.
1		1	.....	Petit larceny	90 days jail.
1		1	.....	Petit larceny	30 days jail.
1		1	.....	Petit larceny	10 days jail or \$10.
2		2	.....	Petit larceny	Suspended.
1		1	.....	Vagrancy	30 days jail.
1		.....	1	Vagrancy	Asylum.
				Total, 111; men, 105; women, 6.	
5	Second quarter	5	.....	Assault, third degree.....	180 days jail.
4		4	.....	Assault, third degree.....	90 days jail.
1		1	.....	Assault, third degree.....	Fined \$30.
1		1	.....	Assault, third degree.....	Fined \$10.
1		.....	1	Assault, third degree.....	Fined \$5.
12		11	1	Assault, third degree.....	Suspended.

1	1	Intoxication	180 days jail.
1	1	Intoxication	100 days jail.
3	3	Intoxication	90 days jail.
2	2	Intoxication	60 days jail.
1	1	Intoxication	30 days jail or \$10.
7	7	Intoxication	30 days jail.
1	1	Intoxication	15 days jail.
2	2	Intoxication	10 days jail or \$10.
5	4	Intoxication	10 days jail.
4	1	Intoxication	5 days jail or \$5.
2	2	Intoxication	3 days jail or \$3.
7	4	Intoxication	Fined \$10.
1	1	Intoxication	Fined \$5.
1	1	Intoxication	Fined \$3.
1	1	Intoxication	Banished.
1	1	Intoxication	Not stated.
1	1	Intoxication	Suspended.
1	1	Misdemeanor	100 days jail or \$50.
1	1	Misdemeanor	90 days jail.
3	3	Misdemeanor	30 days jail.
1	1	Misdemeanor	Fined \$11.75.
3	3	Misdemeanor	Fined \$5.
1	1	Misdemeanor	Asylum.
1	1	Misdemeanor	Not stated.
5	1	Misdemeanor	Suspended.
1	1	Petit larceny	120 days jail.
1	1	Petit larceny	90 days jail.
1	1	Petit larceny	60 days jail.
7	7	Petit larceny	Suspended.
1	1	Vagrancy	2 months penitentiary.
1	1	Vagrancy	100 days penitentiary.
1	1	Vagrancy	Asylum.
1	1	Vagrancy	Suspended.
1	1	Total, 216; men, 211; women, 5.	
1	1	Assault, third degree.	25 days jail or \$25.
1	1	Assault, third degree.	1 day jail or \$1.
3	3	Assault, third degree.	Suspended.
2	2	Intoxication	180 days jail.
1	1	Intoxication	90 days jail.
1	1	Intoxication	60 days jail.
2	2	Intoxication	30 days jail.
4	4	Intoxication	15 days jail.
1	1	Intoxication	10 days jail or \$10.
2	2	Intoxication	10 days jail.
1	1	Intoxication	Fined \$10.
1	1	Intoxication	Fined \$5.
8	8	Intoxication	
1	1	Third quarter	

TABLE K - COUNTY OF ESSEX - (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1		Intoxication	Fined \$3.
30		30		Intoxication	Suspended.
1			1	Misdemeanor	180 days jail.
1		1		Misdemeanor	90 days jail.
1		1		Misdemeanor	60 days jail.
3		3		Misdemeanor	Suspended.
1		1		Petit larceny	5 days jail or \$5.
1		1		Petit larceny	Suspended.
1		7		Vagrancy	Not stated.
				Total, 73; men, 71; women, 2.	
1	Fourth quarter	1		Assault, third degree.	120 days jail or \$25 fine.
1		1		Assault, third degree.	100 days jail and \$25.
1		1		Assault, third degree.	90 days jail.
1		1		Assault, third degree.	Fined \$25.
1		1		Assault, third degree.	Fined \$10.
12		12		Assault, third degree.	Suspended.
4		4		Intoxication	180 days jail.
1		1		Intoxication	150 days jail.
2		2		Intoxication	120 days jail.
6		6		Intoxication	60 days jail.
1		1		Intoxication	40 days jail.
4		4		Intoxication	30 days jail.
2		2		Intoxication	15 days jail.
1		1		Intoxication	10 days jail.
1		1		Intoxication	5 days jail.
2		2		Intoxication	Fined \$10.
1		1		Intoxication	Fined \$7.
1		1		Intoxication	Fined \$5; probation.
16		16		Intoxication	Fined \$5.
1		1		Intoxication	Fined \$3.
1		1		Intoxication	Not stated.
1		1		Intoxication	Suspended.
60		60		Misdemeanor	60 days jail.
1		1		Misdemeanor	30 days jail or \$30.
1		1		Misdemeanor	

3	3	Misdemeanor	15 days jail.
6	6	Misdemeanor	10 days jail.
2	2	Misdemeanor	Fined \$5.
1	1	Misdemeanor	Fined \$3.
1	1	Misdemeanor	Fined \$1.
1	1	Misdemeanor	Not stated.
1	1	Misdemeanor	State Industrial School.
14	14	Misdemeanor	Suspended.
1	1	Petit larceny	150 days jail.
1	1	Petit larceny	120 days jail.
7	7	Petit larceny	Suspended.
13			
1			
1			
1			
7			
Total, 171; men, 170; women, 1.			

COUNTY OF FRANKLIN

1	1	Assault, third degree	59 days jail.
1	1	Assault, third degree	20 days jail.
2	2	Assault, third degree	10 days jail or \$10.
1	1	Assault, third degree	Fined \$5.
4	4	Assault, third degree	Suspended.
1	1	Intoxication	6 months penitentiary.
11	11	Intoxication	59 days jail.
5	5	Intoxication	30 days jail.
5	5	Intoxication	20 days jail.
5	5	Intoxication	10 days jail or \$10.
8	8	Intoxication	10 days jail.
1	1	Intoxication	7 days jail or \$7.
7	7	Intoxication	5 days jail or \$5.
1	1	Intoxication	5 days jail.
9	9	Intoxication	3 days jail or \$3.
1	1	Intoxication	3 days jail.
3	3	Intoxication	Fined \$3.
2	2	Intoxication	Fined \$4.
10	10	Intoxication	Fined \$5.
44	44	Intoxication	Suspended.
1	1	Misdemeanor	30 days jail or \$30.
1	1	Misdemeanor	30 days jail.
1	1	Misdemeanor	25 days jail or \$25.
2	2	Misdemeanor	5 days jail or \$5.
1	1	Misdemeanor	3 days jail or \$3.
1	1	Misdemeanor	Fined \$10.
5	5	Misdemeanor	Fined \$5.
1	1	Misdemeanor	Bond required \$200.
4	4	Misdemeanor	Not stated.
2	2	Misdemeanor	State Industrial School.
11	11	Misdemeanor	Suspended.
1	1		
5	5		
5	5		
5	5		
8	8		
1	1		
7	7		
1	1		
9	9		
1	1		
3	3		
2	2		
10	10		
44	44		
1	1		
1	1		
1	1		
2	2		
1	1		
1	1		
5	5		
1	1		
4	4		
3	3		
14	14		

TABLE K — COUNTY OF FRANKLIN — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	First quarter	1	.....	Petit larceny	10 days jail.
4		4	.....	Petit larceny	5 days jail or \$5.
1		.....	1	Petit larceny	Suspended.
1		1	.....	Vagrancy	180 days jail.
1		1	.....	Vagrancy	10 days jail.
10		10	.....	Vagrancy	Suspended.
Total, 175; men, 169; women, 6.					
1	Second quarter	1	.....	Assault, third degree.....	59 days jail or \$20.
1		1	.....	Assault, third degree.....	10 days jail or \$10.
1		1	.....	Assault, third degree.....	5 days jail or \$5.
1		1	.....	Assault, third degree.....	Suspended.
1		1	.....	Intoxication	59 days jail.
1		1	.....	Intoxication	30 days jail.
1		1	.....	Intoxication	20 days jail.
1		1	.....	Intoxication	10 days jail or \$10.
1		1	.....	Intoxication	10 days jail.
1		1	.....	Intoxication	5 days jail or \$5.
1		1	.....	Intoxication	5 days jail.
1		1	.....	Intoxication	3 days jail or \$3.
1		1	.....	Intoxication	Fined \$10.
1		1	.....	Intoxication	Fined \$5.
1		1	.....	Intoxication	Suspended.
1		1	.....	Misdemeanor	59 days jail.
1		1	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	25 days jail or \$25.
1		1	.....	Misdemeanor	10 days jail or \$10.
1		1	.....	Misdemeanor	5 days jail or \$5.
1		1	.....	Misdemeanor	Fined \$5.
1		1	.....	Misdemeanor	Not stated.
1		1	.....	Misdemeanor	Probation.
1		1	.....	Misdemeanor	State Industrial School.
1		1	.....	Petit larceny	Suspended.
1		1	.....	Petit larceny	1 month penitentiary.
1		1	.....	Petit larceny	30 days jail.

1	1	Petit larceny	20 days jail or \$20.
1	1	Petit larceny	10 days jail or \$20.
2	2	Vagrancy	3 months penitentiary.
1	1	Vagrancy	50 days jail.
1	1	Vagrancy	30 days jail.
1	1	Vagrancy	10 days jail.
1	1	Vagrancy	Not stated.
14	14	Vagrancy	Suspended.
Total, 172; men, 168; women, 4.			
1	1	Assault, third degree.	6 months penitentiary.
1	1	Assault, third degree.	50 days jail or \$50.
1	1	Assault, third degree.	25 days jail or \$25.
1	1	Assault, third degree.	20 days jail.
1	1	Assault, third degree.	15 days jail or \$15.
1	1	Assault, third degree.	5 days jail or \$5.
1	1	Assault, third degree.	Fined \$10.
1	1	Assault, third degree.	Fined \$5.
2	2	Assault, third degree.	Suspended.
1	1	Intoxication	6 months penitentiary or \$5.
1	1	Intoxication	3 months penitentiary.
9	9	Intoxication	50 days jail.
5	5	Intoxication	30 days jail.
2	2	Intoxication	20 days jail.
2	2	Intoxication	10 days jail or \$10.
5	5	Intoxication	10 days jail.
1	1	Intoxication	7 days jail or \$7.
18	18	Intoxication	5 days jail or \$5.
7	7	Intoxication	3 days jail or \$3.
1	1	Intoxication	Fined \$10.
20	20	Intoxication	Fined \$5.
1	1	Intoxication	Fined \$4.
1	1	Intoxication	Fined \$3.
1	1	Intoxication	Fined \$2.
56	56	Intoxication	Suspended.
1	1	Misdemeanor	50 days jail.
1	1	Misdemeanor	25 days jail or \$—.
1	1	Misdemeanor	25 days jail.
1	1	Misdemeanor	20 days jail.
5	5	Misdemeanor	10 days jail or \$10.
1	1	Misdemeanor	5 days jail or \$5.
1	1	Misdemeanor	5 days jail.
2	2	Misdemeanor	Fined \$10.
7	7	Misdemeanor	Fined \$5.
2	2	Misdemeanor	Fined \$3.
1	1	Misdemeanor	Fined \$1.
2	2	Misdemeanor	Not stated.
10	10	Misdemeanor	Suspended.

TABLE K—COUNTY OF FRANKLIN—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	.....2	Petit larceny	30 days jail.
3		1	.....2	Petit larceny	Suspended.
1		1	.....	Vagrancy	6 months penitentiary.
1		1	.....	Vagrancy	4 months penitentiary.
1		.....1	.....	Vagrancy	Asylum.
2		.....2	.....	Vagrancy	Suspended.
Total, 190; men, 184; women, 6.					
1	Fourth quarter	1	.....	Assault, third degree.	10 days jail.
1		1	.....	Assault, third degree.	5 days jail or \$5.
1		1	.....	Assault, third degree.	Fined \$20.
5		5	.....	Intoxication	59 days jail.
4		4	.....	Intoxication	30 days jail.
1		1	.....	Intoxication	25 days jail.
5		5	.....	Intoxication	20 days jail.
3		3	.....	Intoxication	10 days jail or \$10.
4		4	.....	Intoxication	10 days jail.
3		3	.....	Intoxication	7 days jail or \$7.
12		12	.....	Intoxication	5 days jail or \$5.
5		5	.....	Intoxication	3 days jail or \$3.
1		1	.....	Intoxication	Fined \$15.
1		1	.....	Intoxication	Fined \$10.
16		16	.....	Intoxication	Fined \$5.
3		3	.....	Intoxication	Fined \$3.
1		1	.....	Intoxication	Fined \$2.
48		46	.....2	Intoxication	Suspended.
1		1	.....	Misdemeanor	2 months penitentiary.
1		1	.....	Misdemeanor	20 days jail or \$20.
1		1	.....	Misdemeanor	15 days jail or \$15.
1		1	.....	Misdemeanor	10 days jail or \$10.
5		5	.....2	Misdemeanor	5 days jail or \$5.
5		3	.....	Misdemeanor	Fined \$15.
1		1	.....	Misdemeanor	Fined \$10.
2		2	.....	Misdemeanor	Fined \$7.
1		1	.....	Misdemeanor	Fined \$5.
12		12	.....	Misdemeanor	Fined \$5.

TABLE K — COUNTY OF FULTON — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Second quarter	1	.....	Assault, third degree.	90 days jail.
1		1	.....	Assault, third degree.	5 days jail or \$5.
1		1	.....	Assault, third degree.	Fined \$5.
1		1	.....	Assault, third degree.	Suspended.
2		7	1	Intoxication	50 days jail.
1		1	.....	Intoxication	15 days jail.
10		10	.....	Intoxication	10 days jail or \$10.
5		5	.....	Intoxication	5 days jail or \$5.
2		2	.....	Intoxication	3 days jail or \$3.
1		1	.....	Intoxication	Fined \$3.
1		1	.....	Intoxication	Asylum.
1		5	.....	Intoxication	Not stated.
1		1	.....	Intoxication	Probation.
36		34	2	Intoxication	Suspended.
1		1	.....	Misdemeanor	100 days jail or \$100.
1		1	.....	Misdemeanor	90 days jail.
1		1	.....	Misdemeanor	60 days jail or \$60.
1		1	.....	Misdemeanor	59 days jail.
1		2	.....	Misdemeanor	50 days jail or \$50.
1		1	.....	Misdemeanor	30 days jail or \$30.
1		1	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	25 days jail or \$25.
1		1	.....	Misdemeanor	20 days jail or \$20.
3		2	1	Misdemeanor	10 days jail or \$10.
1		1	.....	Misdemeanor	10 days jail.
1		2	.....	Misdemeanor	5 days jail or \$5.
24		22	2	Misdemeanor	3 days jail or \$3.
13		13	.....	Misdemeanor	Fined \$10.
1		1	.....	Misdemeanor	Fined \$3.
1		3	.....	Misdemeanor	Asylum.
5		2	.....	Misdemeanor	Probation.
9		9	.....	Misdemeanor	State Industrial School.
2		2	.....	Misdemeanor	Not stated.
20		20	.....	Petty larceny	6 months penitentiary.
1		1	.....	Petty larceny	4 months penitentiary.
1		1	.....	Petty larceny	3 months penitentiary.

1	1	Petit larceny	59 days jail.
1	1	Petit larceny	10 days jail or \$10.
1	1	Petit larceny	Suspended.
1	1	Vagrancy	59 days jail.
1	1	Vagrancy	30 days jail or \$30.
1	1	Vagrancy	Suspended.
Total, 173; men, 163; women, 10.			
1	1	Assault, third degree	59 days jail.
1	1	Assault, third degree	10 days jail or \$10.
2	2	Assault, third degree	Suspended.
1	1	Intoxication	2 months penitentiary.
9	9	Intoxication	59 days jail.
2	2	Intoxication	30 days jail.
10	10	Intoxication	10 days jail or \$10.
2	2	Intoxication	10 days jail.
14	14	Intoxication	5 days jail or \$5.
8	8	Intoxication	Not stated.
2	2	Intoxication	Probation.
35	35	Intoxication	Suspended.
1	1	Misdemeanor	6 months penitentiary.
1	1	Misdemeanor	4 months penitentiary.
1	1	Misdemeanor	59 days jail.
2	2	Misdemeanor	30 days jail.
4	4	Misdemeanor	15 days jail or \$15.
10	10	Misdemeanor	10 days jail or \$10.
1	1	Misdemeanor	10 days jail.
6	6	Misdemeanor	5 days jail or \$5.
2	2	Misdemeanor	3 days jail or \$3.
3	3	Misdemeanor	1 day jail or \$1.
1	1	Misdemeanor	Fined \$5.
2	2	Misdemeanor	Asylum.
1	1	Misdemeanor	Probation.
2	2	Misdemeanor	State Industrial School.
3	3	Misdemeanor	Suspended.
10	10	Misdemeanor	4 months penitentiary.
1	1	Petit larceny	
Total, 138; men, 134; women, 4.			
1	1	Assault, third degree	25 days jail or \$25.
1	1	Assault, third degree	20 days jail or \$20.
3	3	Assault, third degree	15 days jail or \$15.
2	2	Assault, third degree	5 days jail or \$5.
1	1	Assault, third degree	Suspended.
11	11	Intoxication	59 days jail.
1	1	Intoxication	15 days jail.
5	5	Intoxication	10 days jail or \$10.
1	1	Intoxication	9 days jail or \$9.
1	1	Fourth quarter	
1	1	Assault, third degree	25 days jail or \$25.
1	1	Assault, third degree	20 days jail or \$20.
3	3	Assault, third degree	15 days jail or \$15.
2	2	Assault, third degree	5 days jail or \$5.
1	1	Assault, third degree	Suspended.
12	12	Intoxication	59 days jail.
1	1	Intoxication	15 days jail.
5	5	Intoxication	10 days jail or \$10.
1	1	Intoxication	9 days jail or \$9.

TABLE K — COUNTY OF FULTON — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
3	Fourth quarter	3	.....	Intoxication	5 days jail or \$5.
1		1	.....	Intoxication	5 days jail.
3		3	.....	Intoxication	3 days jail or \$3.
3		3	.....	Intoxication	3 days jail.
4		4	.....	Intoxication	Not stated.
4		4	.....	Intoxication	Probation.
3		3	1	Intoxication	Suspended.
3		3	.....	Misdemeanor	4 months penitentiary.
1		1	.....	Misdemeanor	180 days jail.
2		2	.....	Misdemeanor	60 days jail.
1		1	.....	Misdemeanor	59 days jail.
2		2	.....	Misdemeanor	50 days jail or \$50.
3		3	.....	Misdemeanor	25 days jail or \$25.
1		1	.....	Misdemeanor	20 days jail or \$20.
3		3	.....	Misdemeanor	15 days jail or \$15.
13		13	.....	Misdemeanor	10 days jail or \$10.
31		31	.....	Misdemeanor	5 days jail or \$5.
1		1	.....	Misdemeanor	3 days jail or \$3.
2		2	.....	Misdemeanor	2 days jail or \$2.
1		1	.....	Misdemeanor	Fined \$10.
7		7	.....	Misdemeanor	Fined \$5.
2		2	.....	Misdemeanor	Fined \$3.
2		2	2	Misdemeanor	Asylum.
2		2	.....	Misdemeanor	Probation.
3		3	.....	Misdemeanor	State Industrial School.
8		8	.....	Misdemeanor	Suspended.
1		1	.....	Petit larceny	6 months penitentiary.
1		1	.....	Petit larceny	4 months penitentiary.
2		2	.....	Petit larceny	3 months penitentiary.
1		1	.....	Petit larceny	59 days jail.
1		1	.....	Petit larceny	Asylum.
Total, 177; men, 173; women, 4.					

1	1	Vagrancy	60 days jail.
5	3	Vagrancy	30 days jail.
2	2	Vagrancy	15 days jail.
5	5	Vagrancy	10 days jail.
3	3	Vagrancy	5 days jail.
Total, 87; men, 85; women, 2.			
1	1	Assault, third degree.	6 months penitentiary and \$50.
1	1	Assault, third degree.	2 months penitentiary.
1	1	Assault, third degree.	90 days jail.
2	2	Assault, third degree.	50 days jail or \$50.
1	1	Intoxication	3 months penitentiary.
2	2	Intoxication	2 months penitentiary.
3	3	Intoxication	30 days jail.
1	1	Intoxication	20 days jail.
2	2	Intoxication	15 days jail.
3	3	Intoxication	15 days jail and \$10.
10	10	Intoxication	15 days jail.
2	2	Intoxication	10 days jail or \$10.
3	3	Intoxication	10 days jail.
6	6	Intoxication	5 days jail or \$5.
1	1	Intoxication	5 days jail.
2	2	Intoxication	3 days jail or \$3.
1	1	Intoxication	2 days jail or \$2.
1	1	Misdemeanor	3 months penitentiary.
1	1	Misdemeanor	100 days penitentiary.
1	1	Misdemeanor	30 days jail.
2	2	Misdemeanor	15 days jail.
6	6	Misdemeanor	10 days jail or \$10.
5	5	Misdemeanor	10 days jail.
1	1	Misdemeanor	5 days jail or \$5.
1	1	Misdemeanor	Fined \$50.
25	25	Misdemeanor	Fined \$25.
2	2	Misdemeanor	Fined \$15.
4	4	Misdemeanor	Fined \$10.
3	3	Misdemeanor	Fined \$5.
1	1	Petit larceny	10 months penitentiary.
2	2	Petit larceny	90 days jail.
1	1	Petit larceny	40 days jail.
1	1	Vagrancy	6 months penitentiary and \$50.
2	2	Vagrancy	6 months penitentiary.
1	1	Vagrancy	4 months penitentiary.
3	3	Vagrancy	2 months penitentiary.
3	3	Vagrancy	60 days jail.
3	3	Vagrancy	10 days jail.
5	5	Vagrancy	Not stated.
Total, 118; men, 110; women, 8.			

TABLE K — COUNTY OF GREENE — (Continued)

WHEN CONVICTED		Males	Females	OFFENSE	SENTENCE
Num conv	Fourth quarter	1	1	Intoxication	60 days jail.
		1	1	Intoxication	6 days jail.
		3	1	Intoxication	3 days jail.
		1	1	Intoxication	2 days jail.
		1	1	Misdemeanor	10 days jail.
		1	1	Petit larceny	180 days jail.
		1	1	Petit larceny	30 days jail.
		2	1	Vagrancy	90 days jail.
		2	1	Vagrancy	60 days jail.
		1	1	Vagrancy	10 days jail.
		1	1	Vagrancy	5 days jail.
		1	1	Vagrancy	1 day jail.
				Total, 16; men, 16; women, 0.	
COUNTY OF HAMILTON					
1	First quarter	1	1	Misdemeanor	20 days jail.
1		1	1	Misdemeanor	Fined \$15 and costs.
				Total, 2; men, 2; women, 0.	
	Second quarter	1	1	No convictions.	Suspended.
1	Third quarter	1	1	Assault, third degree.	Suspended.
1		1	1	Misdemeanor	Suspended.
		1	1	Vagrancy	Suspended.
				Total, 3; men, 3; women, 0.	
1	Fourth quarter	1	1	Misdemeanor	State Industrial School.
2		1	2	Misdemeanor	Asylum.
				Total, 3; men, 1; women, 2.	

COUNTY OF IERKIMER

[illegible]

TABLE K — COUNTY OF HERKIMER — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Second quarter . . .	1	1	Intoxication	6 months penitentiary.
2		2	1	Intoxication	4 months penitentiary.
1		1	1	Intoxication	2 months penitentiary.
1		1	1	Intoxication	
2		2	1	Intoxication	
6		6	1	Intoxication	
9		9	1	Intoxication	
2		2	1	Intoxication	
5		5	1	Intoxication	
3		3	1	Intoxication	
2		2	1	Intoxication	
2		2	1	Intoxication	
7		7	1	Intoxication	
5		5	1	Intoxication	
1		1	1	Intoxication	
1		1	1	Misdemeanor	
1		1	1	Misdemeanor	
1		1	1	Misdemeanor	
2		2	1	Misdemeanor	
1		1	1	Misdemeanor	
2		2	1	Misdemeanor	
7		7	1	Misdemeanor	
2		2	1	Misdemeanor	
1		1	1	Misdemeanor	
3		3	1	Misdemeanor	
2		2	1	Misdemeanor	
2		2	1	Misdemeanor	
14		14	2	Misdemeanor	
1		1	1	Petit larceny	
1		1	1	Petit larceny	
1		1	1	Petit larceny	
1		1	1	Petit larceny	
1		1	1	Petit larceny	
2		2	1	Petit larceny	
1		1	1	Petit larceny	
3		3	1	Petit larceny	
1		1	1	Vagrancy	3 months penitentiary.
1		1	1	Vagrancy	Asylum.
Total, 161 - men 151; women, 7					

1	Third quarter	1	Assault, third degree.....	50 days jail or \$50.
2		2	Assault, third degree.....	10 days jail or \$10.
3		3	Assault, third degree.....	5 days jail or \$5.
1		1	Assault, third degree.....	Fined \$5.
1		1	Assault, third degree.....	Suspended.
2		2	Assault, third degree.....	3 months penitentiary.
1		1	Intoxication	30 days jail or \$10.
1		1	Intoxication	30 days jail.
1		1	Intoxication	20 days jail.
1		1	Intoxication	15 days jail or \$10.
1		1	Intoxication	15 days jail.
1		1	Intoxication	10 days jail or \$10.
13		1	Intoxication	10 days jail or \$5.
17			Intoxication	10 days jail or \$2.
1			Intoxication	10 days jail.
2			Intoxication	6 days jail.
1			Intoxication	5 days jail or \$5.
1			Intoxication	5 days jail.
1			Intoxication	Fined \$15.
1			Intoxication	Fined \$5.
4			Intoxication	Not stated.
79		3	Intoxication	Suspended.
2		1	Misdemeanor	4 months penitentiary.
4			Misdemeanor	3 months penitentiary.
1			Misdemeanor	2 months penitentiary.
1			Misdemeanor	15 days jail.
4		1	Misdemeanor	10 days jail or \$10.
3			Misdemeanor	10 days jail.
6			Misdemeanor	5 days jail or \$5.
3			Misdemeanor	5 days jail.
2			Misdemeanor	Fined \$25.
1			Misdemeanor	Fined \$15.
1			Misdemeanor	Fined \$10.
5			Misdemeanor	Fined \$5.
23		2	Misdemeanor	Asylum.
1		1	Misdemeanor	Suspended.
1			Petit larceny	4 months penitentiary.
1			Petit larceny	15 days jail or \$10.
1			Petit larceny	10 days jail or \$10.
1			Petit larceny	Fined \$50.
1			Petit larceny	Fined \$5.
1			Petit larceny	Suspended.
9			Vagrancy	Suspended.

Total, 215 : men, 206 ; women, 9.

TABLE K — COUNTY OF FULTON — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
3	Fourth quarter	3	.....	Intoxication	5 days jail or \$5.
1		1	.....	Intoxication	5 days jail.
3		3	.....	Intoxication	3 days jail or \$3.
3		3	.....	Intoxication	3 days jail.
4		4	.....	Intoxication	Not stated.
4		4	.....	Intoxication	Probation.
3		3	.....	Intoxication	Suspended.
3		3	.....	Misdemeanor	4 months penitentiary.
1		1	.....	Misdemeanor	180 days jail.
2		2	.....	Misdemeanor	60 days jail.
1		1	.....	Misdemeanor	59 days jail.
2		2	.....	Misdemeanor	50 days jail or \$50.
3		3	.....	Misdemeanor	25 days jail or \$25.
1		1	.....	Misdemeanor	20 days jail or \$20.
3		3	.....	Misdemeanor	15 days jail or \$15.
13		13	.....	Misdemeanor	10 days jail or \$10.
3		3	.....	Misdemeanor	5 days jail or \$5.
1		1	.....	Misdemeanor	3 days jail or \$3.
1		1	.....	Misdemeanor	2 days jail or \$2.
2		2	.....	Misdemeanor	Fined \$10.
2		2	.....	Misdemeanor	Fined \$5.
2		2	.....	Misdemeanor	Fined \$3.
2		2	.....	Misdemeanor	Asylum.
3		3	.....	Misdemeanor	Probation.
3		3	.....	Misdemeanor	State Industrial School.
8		8	.....	Misdemeanor	Suspended.
1		1	.....	Petit larceny	6 months penitentiary.
1		1	.....	Petit larceny	4 months penitentiary.
1		1	.....	Petit larceny	3 months penitentiary.
1		1	.....	Petit larceny	59 days jail.
1		1	.....	Petit larceny	Asylum.

Total, 177; men, 173; women, 4.

COUNTY OF GENESSEE.

[illegible]

Total, 170: men, 109; women, 1,

1	1	Vagrancy	60 days jail.
5	3	Vagrancy	30 days jail.
2	2	Vagrancy	15 days jail.
5	5	Vagrancy	10 days jail.
3	3	Vagrancy	5 days jail.
Total, 87; men, 85; women, 2.			
1	1	Assault, third degree.	6 months penitentiary and \$50.
1	1	Assault, third degree.	2 months penitentiary.
1	1	Assault, third degree.	90 days jail.
2	2	Assault, third degree.	50 days jail or \$50.
1	1	Intoxication	3 months penitentiary.
1	1	Intoxication	2 months penitentiary.
2	2	Intoxication	30 days jail.
3	3	Intoxication	20 days jail.
1	1	Intoxication	15 days jail and \$10.
2	2	Intoxication	15 days jail.
3	3	Intoxication	10 days jail or \$10.
10	10	Intoxication	10 days jail.
2	2	Intoxication	5 days jail or \$5.
3	3	Intoxication	5 days jail.
6	6	Intoxication	3 days jail or \$3.
1	1	Intoxication	2 days jail or \$2.
2	2	Misdemeanor	3 months penitentiary.
1	1	Misdemeanor	100 days penitentiary.
1	1	Misdemeanor	30 days jail.
1	1	Misdemeanor	15 days jail.
2	2	Misdemeanor	10 days jail or \$10.
6	6	Misdemeanor	10 days jail.
5	5	Misdemeanor	5 days jail or \$5.
1	1	Misdemeanor	Fined \$50.
1	1	Misdemeanor	Fined \$25.
25	25	Misdemeanor	Fined \$15.
2	2	Misdemeanor	Fined \$10.
4	4	Misdemeanor	Fined \$5.
3	3	Petit larceny	10 months penitentiary.
1	1	Petit larceny	90 days jail.
2	2	Petit larceny	40 days jail.
1	1	Petit larceny	6 months penitentiary and \$50.
1	1	Vagrancy	6 months penitentiary.
2	2	Vagrancy	4 months penitentiary.
1	1	Vagrancy	2 months penitentiary.
3	3	Vagrancy	60 days jail.
3	3	Vagrancy	10 days jail.
5	5	Vagrancy	Not stated.
Total, 118; men, 110; women, 8.			

TABLE K — COUNTY OF FRANKLIN — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	First quarter	1	.....	Petit larceny	10 days jail.
4		4	.....	Petit larceny	5 days jail or \$5.
1		.....	1	Petit larceny	Suspended.
1		1	.....	Vagrancy	180 days jail.
1		1	.....	Vagrancy	10 days jail.
10		10	.....	Vagrancy	Suspended.
Total, 175; men, 169; women, 6.					
1	Second quarter	1	.....	Assault, third degree	59 days jail or \$20.
1		1	.....	Assault, third degree	10 days jail or \$10.
1		1	.....	Assault, third degree	5 days jail or \$5.
1		1	.....	Assault, third degree	Suspended.
9		9	.....	Intoxication	59 days jail.
7		7	.....	Intoxication	30 days jail.
2		2	.....	Intoxication	20 days jail.
9		9	.....	Intoxication	10 days jail or \$10.
4		4	.....	Intoxication	10 days jail.
13		13	.....	Intoxication	5 days jail or \$5.
2		2	.....	Intoxication	5 days jail.
3		3	.....	Intoxication	3 days jail or \$3.
2		2	.....	Intoxication	Fined \$10.
6		6	.....	Intoxication	Fined \$5.
19		19	1	Intoxication	Suspended.
1		1	.....	Misdemeanor	59 days jail.
2		2	1	Misdemeanor	30 days jail.
5		5	.....	Misdemeanor	25 days jail or \$25.
1		1	.....	Misdemeanor	10 days jail or \$10.
6		6	1	Misdemeanor	5 days jail or \$5.
1		1	.....	Misdemeanor	Fined \$5.
1		1	.....	Misdemeanor	Not stated.
2		2	.....	Misdemeanor	Probation.
2		2	.....	Misdemeanor	State Industrial School.
3		3	.....	Misdemeanor	Suspended.
14		14	.....	Petit larceny	1 months penitentiary.
1		1	.....	Petit larceny	30 days jail.
2		2	.....	Petit larceny	30 days jail.

1	1	Petit larceny	20 days jail or \$20.
1	1	Petit larceny	10 days jail or \$20.
2	2	Vagrancy	3 months penitentiary.
1	1	Vagrancy	59 days jail.
1	1	Vagrancy	30 days jail.
1	1	Vagrancy	10 days jail.
2	1	Vagrancy	Not stated.
14	14	Vagrancy	Suspended.
Total, 172; men, 168; women, 4.			
1	1	Assault, third degree	6 months penitentiary.
1	1	Assault, third degree	50 days jail or \$50.
1	1	Assault, third degree	25 days jail or \$25.
1	1	Assault, third degree	20 days jail.
1	1	Assault, third degree	15 days jail or \$15.
1	1	Assault, third degree	5 days jail or \$5.
1	1	Assault, third degree	Fined \$10.
1	1	Assault, third degree	Fined \$5.
2	2	Assault, third degree	Suspended.
1	1	Intoxication	6 months penitentiary or \$5.
1	1	Intoxication	3 months penitentiary.
9	9	Intoxication	59 days jail.
5	5	Intoxication	30 days jail.
5	5	Intoxication	20 days jail.
5	5	Intoxication	10 days jail or \$10.
5	5	Intoxication	10 days jail.
1	1	Intoxication	7 days jail or \$7.
18	18	Intoxication	5 days jail or \$5.
7	7	Intoxication	3 days jail or \$3.
1	1	Intoxication	Fined \$10.
20	20	Intoxication	Fined \$5.
1	1	Intoxication	Fined \$4.
1	1	Intoxication	Fined \$3.
1	1	Intoxication	Fined \$2.
56	56	Intoxication	Suspended.
1	1	Misdemeanor	59 days jail.
1	1	Misdemeanor	25 days jail or \$—.
1	1	Misdemeanor	25 days jail.
1	1	Misdemeanor	20 days jail.
5	5	Misdemeanor	10 days jail or \$10.
1	1	Misdemeanor	5 days jail or \$5.
1	1	Misdemeanor	5 days jail.
2	2	Misdemeanor	Fined \$10.
7	7	Misdemeanor	Fined \$5.
2	2	Misdemeanor	Fined \$3.
1	1	Misdemeanor	Fined \$1.
2	2	Misdemeanor	Not stated.
10	10	Misdemeanor	Suspended.

TABLE K — COUNTY OF FRANKLIN — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	1	Petit larceny	30 days jail.
3		1	2	Petit larceny	Suspended.
1		1		Vagrancy	6 months penitentiary.
1		1		Vagrancy	4 months penitentiary.
1			1	Vagrancy	Asylum.
2		2		Vagrancy	Suspended.
Total, 190 : men, 184 ; women, 6.					
1	Fourth quarter	1		Assault, third degree.	10 days jail.
1		1		Assault, third degree.	5 days jail or \$5.
1		1		Assault, third degree.	Fined \$20.
5		5		Intoxication	59 days jail.
4		4		Intoxication	30 days jail.
1		1		Intoxication	25 days jail.
5		5		Intoxication	20 days jail.
3		3		Intoxication	10 days jail or \$10.
4		4		Intoxication	10 days jail.
3		3		Intoxication	7 days jail or \$7.
12		12		Intoxication	5 days jail or \$5.
5		5		Intoxication	3 days jail or \$3.
1		1		Intoxication	Fined \$15.
1		1		Intoxication	Fined \$10.
16		16		Intoxication	Fined \$5.
3		3		Intoxication	Fined \$3.
1		1		Intoxication	Fined \$2.
48		46	2	Intoxication	Suspended.
1		1		Misdemeanor	2 months penitentiary.
1		1		Misdemeanor	20 days jail or \$20.
1		1		Misdemeanor	15 days jail or \$15.
1		1		Misdemeanor	10 days jail or \$10.
5		5		Misdemeanor	5 days jail or \$5.
5		3	2	Misdemeanor	Fined \$15.
1		1		Misdemeanor	Fined \$10.
2		2		Misdemeanor	Fined \$7.
12		12		Misdemeanor	Fined \$5.

3	3	Misdemeanor	.....	Asylum.
3	3	Misdemeanor	.....	Not stated.
1	1	Misdemeanor	.....	Probation.
2	2	Misdemeanor	.....	State Industrial School.
7	7	Misdemeanor	.....	Suspended.
1	1	Petit larceny	.....	4 months penitentiary.
1	1	Petit larceny	.....	59 days jail.
1	1	Petit larceny	.....	50 days jail or \$50.
1	1	Petit larceny	.....	25 days jail or \$25.
1	1	Petit larceny	.....	20 days jail or \$20.
.....	1	Petit larceny	.....	Suspended.
5	5	Vagrancy	.....	Suspended.
Total, 171; men, 166; women, 5.				

COUNTY OF FULTON

1	1	First quarter	.....	Assault, third degree	.....	3 months penitentiary.
1	1		.....	Assault, third degree	.....	30 days jail or \$30.
1	1		.....	Assault, third degree	.....	30 days jail.
1	1		.....	Assault, third degree	.....	5 days jail or \$5.
1	1		.....	Intoxication	.....	5 months penitentiary.
.....	1		.....	Intoxication	.....	59 days jail.
1	1		.....	Intoxication	.....	30 days jail.
2	2		.....	Intoxication	.....	10 days jail or \$10.
8	8		.....	Intoxication	.....	3 days jail.
1	1		.....	Intoxication	.....	Probation.
2	2		.....	Intoxication	.....	Suspended.
7	7		.....	Intoxication	.....	50 days jail or \$50.
1	1		.....	Misdemeanor	.....	30 days jail or \$30.
2	2		.....	Misdemeanor	.....	20 days jail or \$20.
1	1		.....	Misdemeanor	.....	15 days jail or \$15.
3	3		.....	Misdemeanor	.....	15 days jail.
1	1		.....	Misdemeanor	.....	10 days jail or \$10.
12	12		.....	Misdemeanor	.....	5 days jail or \$5.
1	1		.....	Misdemeanor	.....	Fined \$5.
1	1		.....	Misdemeanor	.....	Asylum.
.....	2		.....	Misdemeanor	.....	Not stated.
1	1		.....	Misdemeanor	.....	Probation.
3	3		.....	Misdemeanor	.....	State Industrial School.
2	2		.....	Misdemeanor	.....	Suspended.
6	6		.....	Misdemeanor	.....	10 days jail or \$10.
2	2		.....	Petit larceny	.....	Suspended.
3	3		.....	Petit larceny	.....	Suspended.
1	1		.....	Vagrancy	.....	Suspended.
Total, 141; men, 137; women, 4.						

TABLE K—COUNTY OF FULTON—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Second quarter	1	.....	Assault, third degree.....	90 days jail.
1		1	.....	Assault, third degree.....	5 days jail or \$5.
1		1	.....	Assault, third degree.....	Fined \$5.
1		1	.....	Assault, third degree.....	Suspended.
8		7	1	Intoxication	59 days jail.
1		1	.....	Intoxication	15 days jail.
10		10	.....	Intoxication	10 days jail or \$10.
5		5	.....	Intoxication	5 days jail or \$5.
2		2	.....	Intoxication	3 days jail or \$3.
1		1	.....	Intoxication	Fined \$3.
1		1	.....	Intoxication	Asylum.
1		.....	1	Intoxication	Not stated.
5		5	.....	Intoxication	Probation.
1		1	.....	Intoxication	Suspended.
36		34	2	Intoxication	100 days jail or \$100.
1		1	.....	Misdemeanor	90 days jail.
1		1	.....	Misdemeanor	60 days jail or \$60.
1		1	.....	Misdemeanor	59 days jail.
2		2	.....	Misdemeanor	50 days jail or \$50.
1		1	.....	Misdemeanor	30 days jail or \$30.
1		1	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	25 days jail or \$25.
1		1	.....	Misdemeanor	20 days jail or \$20.
1		1	.....	Misdemeanor	10 days jail or \$10.
3		2	1	Misdemeanor	10 days jail.
1		1	.....	Misdemeanor	5 days jail or \$5.
24		22	2	Misdemeanor	3 days jail or \$3.
13		13	.....	Misdemeanor	Fined \$10.
1		1	.....	Misdemeanor	Fined \$3.
1		1	.....	Misdemeanor	Asylum.
5		2	3	Misdemeanor	Probation.
9		9	.....	Misdemeanor	State Industrial School.
2		2	.....	Misdemeanor	Not stated.
20		20	.....	Petty larceny	6 months penitentiary.
1		1	.....	Petty larceny	1 months penitentiary.
1		1	.....	Petty larceny	3 months penitentiary.

1	1	Petit larceny	59 days jail.
1	1	Petit larceny	10 days jail or \$10.
1	1	Petit larceny	Suspended.
1	1	Vagrancy	59 days jail.
1	1	Vagrancy	30 days jail or \$30.
1	1	Vagrancy	Suspended.
Total, 173; men, 163; women, 10.			
Third quarter			
1	1	Assault, third degree	59 days jail.
1	1	Assault, third degree	10 days jail or \$10.
2	2	Assault, third degree	Suspended.
1	1	Intoxication	2 months penitentiary.
9	9	Intoxication	59 days jail.
2	2	Intoxication	30 days jail.
10	10	Intoxication	10 days jail or \$10.
2	2	Intoxication	10 days jail.
14	14	Intoxication	5 days jail or \$5.
8	8	Intoxication	Not stated.
2	2	Intoxication	Probation.
35	35	Intoxication	Suspended.
1	1	Misdemeanor	6 months penitentiary.
1	1	Misdemeanor	4 months penitentiary.
1	1	Misdemeanor	59 days jail.
2	2	Misdemeanor	30 days jail.
4	4	Misdemeanor	15 days jail or \$15.
10	10	Misdemeanor	10 days jail or \$10.
1	1	Misdemeanor	10 days jail.
6	6	Misdemeanor	5 days jail or \$5.
2	2	Misdemeanor	3 days jail or \$3.
3	3	Misdemeanor	1 day jail or \$1.
1	1	Misdemeanor	Fined \$5.
2	2	Misdemeanor	Asylum.
1	1	Misdemeanor	Probation.
2	2	Misdemeanor	State Industrial School.
3	3	Misdemeanor	Suspended.
10	10	Misdemeanor	4 months penitentiary.
1	1	Petit larceny	
Total, 138; men, 134; women, 4.			
Fourth quarter			
1	1	Assault, third degree	25 days jail or \$25.
1	1	Assault, third degree	20 days jail or \$20.
3	3	Assault, third degree	15 days jail or \$15.
2	2	Assault, third degree	5 days jail or \$5.
1	1	Assault, third degree	Suspended.
11	11	Intoxication	59 days jail.
1	1	Intoxication	15 days jail.
5	5	Intoxication	10 days jail or \$10.
1	1	Intoxication	9 days jail or \$9.

TABLE K — COUNTY OF FULTON — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Second quarter	1	.....	Assault, third degree.....	90 days jail.
1		1	.....	Assault, third degree.....	5 days jail or \$5.
1		1	.....	Assault, third degree.....	Fined \$5.
1		1	.....	Assault, third degree.....	Suspended.
8		7	1	Intoxication	59 days jail.
1		1	.....	Intoxication	15 days jail.
10		10	.....	Intoxication	10 days jail or \$10.
5		5	.....	Intoxication	5 days jail or \$5.
2		2	.....	Intoxication	3 days jail or \$3.
1		1	.....	Intoxication	Fined \$3.
1		1	.....	Intoxication	Asylum.
5		5	.....	Intoxication	Not stated.
1		1	.....	Intoxication	Probation.
34		34	2	Intoxication	Suspended.
1		1	.....	Misdemeanor	100 days jail or \$100.
1		1	.....	Misdemeanor	90 days jail.
1		1	.....	Misdemeanor	60 days jail or \$60.
1		1	.....	Misdemeanor	59 days jail.
2		2	.....	Misdemeanor	50 days jail or \$50.
1		1	.....	Misdemeanor	30 days jail or \$30.
1		1	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	25 days jail or \$25.
1		1	.....	Misdemeanor	20 days jail or \$20.
1		1	.....	Misdemeanor	10 days jail or \$10.
3		2	1	Misdemeanor	10 days jail.
1		1	.....	Misdemeanor	5 days jail or \$5.
24		22	2	Misdemeanor	3 days jail or \$3.
13		13	.....	Misdemeanor	Fined \$10.
1		1	.....	Misdemeanor	Fined \$3.
1		1	3	Misdemeanor	Asylum.
5		2	.....	Misdemeanor	Probation.
9		9	.....	Misdemeanor	State Industrial School.
20		20	.....	Misdemeanor	Not stated.
1		1	.....	Petty larceny	6 months penitentiary.
1		1	.....	Petty larceny	4 months penitentiary.
1		1	.....	Petty larceny	3 months penitentiary.

1	1	Petit larceny	59 days jail.
1	1	Petit larceny	10 days jail or \$10.
1	1	Petit larceny	Suspended.
1	1	Vagrancy	59 days jail.
1	1	Vagrancy	30 days jail or \$30.
1	1	Vagrancy	Suspended.
Total, 173; men, 163; women, 10.			
1	1	Assault, third degree.	59 days jail.
1	1	Assault, third degree.	10 days jail or \$10.
2	2	Assault, third degree.	Suspended.
1	1	Intoxication	2 months penitentiary.
9	9	Intoxication	59 days jail.
2	2	Intoxication	30 days jail.
10	10	Intoxication	10 days jail or \$10.
2	2	Intoxication	10 days jail.
11	11	Intoxication	5 days jail or \$5.
8	8	Intoxication	Not stated.
2	2	Intoxication	Probation.
3	3	Intoxication	Suspended.
35	35	Intoxication	6 months penitentiary.
1	1	Misdemeanor	4 months penitentiary.
1	1	Misdemeanor	59 days jail.
1	1	Misdemeanor	30 days jail.
2	2	Misdemeanor	15 days jail or \$15.
4	4	Misdemeanor	10 days jail or \$10.
10	10	Misdemeanor	10 days jail.
1	1	Misdemeanor	5 days jail or \$5.
6	6	Misdemeanor	3 days jail or \$3.
2	2	Misdemeanor	1 day jail or \$1.
3	3	Misdemeanor	Fined \$5.
1	1	Misdemeanor	Asylum.
1	1	Misdemeanor	Probation.
2	2	Misdemeanor	State Industrial School.
3	3	Misdemeanor	Suspended.
10	10	Misdemeanor	4 months penitentiary.
1	1	Petit larceny	
Total, 138; men, 134; women, 4.			
1	1	Assault, third degree.	25 days jail or \$25.
1	1	Assault, third degree.	20 days jail or \$20.
3	3	Assault, third degree.	15 days jail or \$15.
2	2	Assault, third degree.	5 days jail or \$5.
1	1	Assault, third degree.	Suspended.
11	11	Intoxication	59 days jail.
1	1	Intoxication	16 days jail.
5	5	Intoxication	10 days jail or \$10.
1	1	Intoxication	9 days jail or \$9.
1	1	Fourth quarter	

TABLE K — COUNTY OF FULTON — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
3	Fourth quarter	3	..	Intoxication	5 days jail or \$5.
1		1	..	Intoxication	5 days jail.
3		3	..	Intoxication	3 days jail or \$3.
3		3	..	Intoxication	3 days jail.
4		4	..	Intoxication	Not stated.
4		4	..	Intoxication	Probation.
4		1	..	Intoxication	Suspended.
3		3	..	Intoxication	4 months penitentiary.
1		1	..	Misdemeanor	180 days jail.
2		2	..	Misdemeanor	60 days jail.
1		1	..	Misdemeanor	60 days jail.
2		2	..	Misdemeanor	60 days jail or \$50.
3		3	..	Misdemeanor	25 days jail or \$25.
1		1	..	Misdemeanor	20 days jail or \$20.
3		3	..	Misdemeanor	15 days jail or \$15.
1		1	..	Misdemeanor	10 days jail or \$10.
3		3	..	Misdemeanor	5 days jail or \$5.
1		1	..	Misdemeanor	3 days jail or \$3.
1		1	..	Misdemeanor	2 days jail or \$2.
1		1	..	Misdemeanor	Fined \$10.
2		2	..	Misdemeanor	Fined \$5.
2		2	..	Misdemeanor	Fined \$3.
2		2	..	Misdemeanor	Asylum.
3		3	..	Misdemeanor	Probation.
3		3	..	Misdemeanor	State Industrial School.
8		8	..	Misdemeanor	Suspended.
1		1	..	Petit larceny	6 months penitentiary.
1		1	..	Petit larceny	4 months penitentiary.
2		2	..	Petit larceny	3 months penitentiary.
1		1	..	Petit larceny	50 days jail.
1		1	..	Petit larceny	Asylum.
Total, 177; men, 173; women, 4.					

TABLE K - COUNTY OF GENESEE - (Continued)

Number of convictions	When Convicted	Males	Females	Offense	Sentence
1	Second quarter	1	1	Assault, third degree.	6 months penitentiary.
1		1	1	Assault, third degree.	5 months penitentiary.
1		1	1	Assault, third degree.	60 days jail.
1		1	1	Assault, third degree.	30 days jail.
1		1	1	Assault, third degree.	26
1		1	1	Assault, third degree.	10
1		1	1	Assault, third degree.	5.
1		1	1	Intoxication	6
1		1	1	Intoxication	2
1		1	1	Intoxication	00
3		3	3	Intoxication	30
2		2	2	Intoxication	20
2		2	2	Intoxication	20
1		1	1	Intoxication	15
5		5	5	Intoxication	10
6		6	1	Intoxication	10
1		1	1	Intoxication	5.
7		7	7	Intoxication	5.
5		5	5	Intoxication	3.
1		1	1	Intoxication	2.
1		1	1	Intoxication	6
1		1	1	Misdemeanor	3.
1		1	1	Misdemeanor	25
5		5	5	Misdemeanor	20
1		1	1	Misdemeanor	20
1		1	1	Misdemeanor	10
1		1	1	Misdemeanor	10
2		2	1	Misdemeanor	6.
3		3	1	Misdemeanor	5.
1		1	1	Petit larceny	3.
2		2	2	Petit larceny	3 months penitentiary.
2		2	2	Petit larceny	30 days jail.
1		1	1	Petit larceny	3 months penitentiary.
1		1	1	Vagrancy	2 months penitentiary.
1		1	1	Vagrancy	1 month penitentiary.
1		1	1	Vagrancy	and \$25.

1	1	Vagrancy	60 days jail.
5	3	Vagrancy	30 days jail.
2	2	Vagrancy	15 days jail.
5	5	Vagrancy	10 days jail.
3	3	Vagrancy	5 days jail.
Total, 87; men, 85; women, 2.			
1	1	Assault, third degree.	6 months penitentiary and \$50.
1	1	Assault, third degree.	2 months penitentiary.
1	1	Assault, third degree.	90 days jail.
2	2	Assault, third degree.	50 days jail or \$50.
1	1	Intoxication	3 months penitentiary.
1	1	Intoxication	2 months penitentiary.
2	2	Intoxication	30 days jail.
3	3	Intoxication	20 days jail.
1	1	Intoxication	15 days jail and \$10.
2	2	Intoxication	15 days jail.
3	3	Intoxication	10 days jail or \$10.
10	10	Intoxication	10 days jail.
2	2	Intoxication	5 days jail or \$5.
3	3	Intoxication	5 days jail.
6	6	Intoxication	3 days jail or \$3.
1	1	Intoxication	2 days jail or \$2.
2	2	Intoxication	3 months penitentiary.
1	1	Misdemeanor	100 days penitentiary.
1	1	Misdemeanor	30 days jail.
1	1	Misdemeanor	15 days jail.
2	2	Misdemeanor	10 days jail or \$10.
6	6	Misdemeanor	10 days jail.
5	5	Misdemeanor	5 days jail or \$5.
1	1	Misdemeanor	Fined \$50.
1	1	Misdemeanor	Fined \$25.
25	25	Misdemeanor	Fined \$15.
2	2	Misdemeanor	Fined \$10.
4	4	Misdemeanor	Fined \$5.
3	3	Misdemeanor	10 months penitentiary.
1	1	Petit larceny	90 days jail.
2	2	Petit larceny	40 days jail.
1	1	Petit larceny	6 months penitentiary and \$50.
1	1	Vagrancy	6 months penitentiary.
2	2	Vagrancy	4 months penitentiary.
1	1	Vagrancy	2 months penitentiary.
3	3	Vagrancy	60 days jail.
3	3	Vagrancy	10 days jail.
5	5	Vagrancy	Not stated.
Total, 113; men, 110; women, 3.			

COUNTY OF GREENE

1	First quarter	1	.....	Assault, third degree.	.....	120 days jail.
1		1	.....	Assault, third degree.	.....	Suspended.
1		1	.....	Intoxication	.....	30 days jail or \$30.
1		1	.....	Intoxication	.....	30 days jail.
2		2	.....	Intoxication	.....	10 days jail or \$10.
1		1	.....	Intoxication	.....	10 days jail.
1		1	.....	Intoxication	.....	5 days jail or \$5.
1		1	.....	Intoxication	.....	5 days jail.
2		2	.....	Intoxication	.....	Suspended.
1		1	.....	Misdemeanor	.....	28 days jail or \$28.65.
1		1	.....	Misdemeanor	.....	20 days jail.
1		1	.....	Misdemeanor	.....	15 days jail or \$15.
1		1	.....	Misdemeanor	.....	12 days jail or \$12.65.
1		1	.....	Misdemeanor	.....	Fined \$25.
1		1	.....	Misdemeanor	.....	Fined \$2.
1		1	.....	Misdemeanor	.....	Asylum.
1		.....	1	Misdemeanor	.....	Suspended.
1		1	.....	Petit larceny	.....	60 days jail.
1		1	.....	Petit larceny	.....	10 days jail or \$10.
2		2	.....	Petit larceny	.....	Asylum.
1		1	.....	Vagrancy	.....	2 months penitentiary.
Total, 24; men, 23; women, 1.						
1	Second quarter	1	.....	Assault, third degree.	.....	25 days jail or \$25.
2		2	.....	Intoxication	.....	30 days jail.
1		1	.....	Intoxication	.....	10 days jail.
1		.....	1	Intoxication	.....	3 days jail or \$3.
1		.....	.....	Intoxication	.....	Suspended.
1		1	.....	Misdemeanor	.....	30 days jail and \$50.
1		1	.....	Misdemeanor	.....	5 days jail or \$5.
1		1	.....	Misdemeanor	.....	3 days jail or \$3.
1		1	.....	Petit larceny	.....	30 days jail.
1		1	.....	Petit larceny	.....	20 days jail.
2		2	.....	Vagrancy	.....	63 days penitentiary.
1		1	.....	Vagrancy	.....	Penitentiary; not stated.
Total, 14; men, 13; women, 1.						
3	Third quarter	3	.....	Intoxication	.....	10 days jail.
1		1	.....	Misdemeanor	.....	120 days jail; adjudged habitual criminal.
1		1	.....	Misdemeanor	.....	23 days jail or \$25.40.
1		1	.....	Misdemeanor	.....	23 days jail or \$22.40.
3		3	.....	Misdemeanor	.....	20 days jail or \$20.
1		1	.....	Misdemeanor	.....	20 days jail.
Total, 10; men, 10; women, 0.						

COUNTY OF GREENE

1	First quarter	1	Assault, third degree	120 days jail.
1		1	Assault, third degree	Suspended.
1		1	Intoxication	30 days jail or \$30.
1		1	Intoxication	30 days jail.
2		2	Intoxication	10 days jail or \$10.
1		1	Intoxication	10 days jail.
1		1	Intoxication	5 days jail or \$5.
1		1	Intoxication	5 days jail.
2		2	Intoxication	Suspended.
1		1	Misdemeanor	28 days jail or \$28.65.
1		1	Misdemeanor	20 days jail.
1		1	Misdemeanor	15 days jail or \$15.
1		1	Misdemeanor	12 days jail or \$12.65.
1		1	Misdemeanor	Fined \$25.
1		1	Misdemeanor	Fined \$2.
1		1	Misdemeanor	Asylum.
1		1	Misdemeanor	Suspended.
1		1	Petit larceny	60 days jail.
1		1	Petit larceny	10 days jail or \$10.
2		2	Petit larceny	Asylum.
1		1	Vagrancy	2 months penitentiary.
Total, 24; men, 23; women, 1.				
1	Second quarter	1	Assault, third degree	25 days jail or \$25.
2		2	Intoxication	30 days jail.
1		1	Intoxication	10 days jail.
1		1	Intoxication	3 days jail or \$3.
1		1	Intoxication	Suspended.
1		1	Misdemeanor	30 days jail and \$50.
1		1	Misdemeanor	5 days jail or \$5.
1		1	Misdemeanor	3 days jail or \$3.
1		1	Petit larceny	30 days jail.
1		1	Petit larceny	20 days jail.
2		2	Vagrancy	63 days penitentiary.
1		1	Vagrancy	Penitentiary; not stated.
Total, 14; men, 13; women, 1.				
3	Third quarter	3	Intoxication	10 days jail.
1		1	Misdemeanor	120 days jail; adjudged habitual criminal.
1		1	Misdemeanor	23 days jail or \$25.40.
1		1	Misdemeanor	23 days jail or \$22.40.
3		3	Misdemeanor	20 days jail or \$20.
1		1	Misdemeanor	20 days jail.
Total, 10; men, 10; women, 0.				

TABLE K — COUNTY OF GREENE — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Fourth quarter	1	1	Intoxication	60 days jail.
1		1	1	Intoxication	6 days jail.
3		3	1	Intoxication	3 days jail.
1		1	1	Intoxication	2 days jail.
1		1	1	Misdemeanor	10 days jail.
1		1	1	Petit larceny	180 days jail.
1		1	1	Petit larceny	30 days jail.
1		2	1	Vagrancy	90 days jail.
2		2	1	Vagrancy	60 days jail.
1		1	1	Vagrancy	10 days jail.
1		1	1	Vagrancy	5 days jail.
1		1	1	Vagrancy	1 day jail.
Total, 16; men, 16; women, 0.					
COUNTY OF HAMILTON					
1	First quarter	1	1	Misdemeanor	20 days jail.
1		1	1	Misdemeanor	Fined \$15 and costs.
Total, 2; men, 2; women, 0.					
	Second quarter			No convictions.	Suspended.
1		1	1	Assault, third degree.	Suspended.
1	Third quarter	1	1	Misdemeanor	Suspended.
1		1	1	Vagrancy	Suspended.
Total, 3; men, 3; women, 0.					
1	Fourth quarter	1	1	Misdemeanor	State Industrial School.
2		2	2	Misdemeanor	Asylum.
Total, 3; men, 1; women, 2.					

COUNTY OF HERKIMER

1	First quarter	1	Assault, third degree	30 days jail and \$15.
1		1	Assault, third degree	30 days jail or \$10.
1		1	Assault, third degree	30 days jail.
1		1	Assault, third degree	15 days jail or \$15.
1		1	Assault, third degree	Fined \$50.
5		5	Assault, third degree	Fined \$10.
2		2	Assault, third degree	Fined \$5.
4		4	Assault, third degree	Suspended.
2		1	Intoxication	3 months penitentiary.
5		4	Intoxication	10 days jail or \$10.
2		1	Intoxication	10 days jail or \$5.
2		4	Intoxication	10 days jail.
4		1	Intoxication	5 days jail or \$5.
1		1	Intoxication	5 days jail.
2		1	Intoxication	Fined \$10.
14		14	Intoxication	Fined \$5.
1		1	Intoxication	Fined \$4.
2		2	Intoxication	Probation.
95		95	Intoxication	Suspended.
2		1	Misdemeanor	6 months penitentiary.
2		1	Misdemeanor	2 months penitentiary.
1		1	Misdemeanor	30 days jail or \$30.
1		1	Misdemeanor	30 days jail or \$10.
1		1	Misdemeanor	10 days jail.
4		4	Misdemeanor	10 days jail or \$10.
3		3	Misdemeanor	Fined \$50.
1		1	Misdemeanor	Fined \$25.
11		11	Misdemeanor	Fined \$10.
1		1	Misdemeanor	Bond required.
4		4	Misdemeanor	Not stated.
3		3	Misdemeanor	State Industrial School.
39		39	Misdemeanor	Suspended.
1		1	Petit larceny	3 months penitentiary.
1		1	Petit larceny	2 months penitentiary.
2		2	Petit larceny	Fined \$10.
1		1	Petit larceny	Suspended.
3		3	Vagrancy	Suspended.
Total, 226; men, 220; women, 6.				
1	Second quarter	1	Assault, third degree	6 months penitentiary or \$50.
1		1	Assault, third degree	25 days jail or \$25.
1		1	Assault, third degree	15 days jail or \$15.
2		2	Assault, third degree	Fined \$10.
3		3	Assault, third degree	Fined \$5.
1		1	Assault, third degree	Suspended.

1	Third quarter	1	.....	Assault, third degree.....	50 days jail or \$50.
2		2	.....	Assault, third degree.....	10 days jail or \$10.
3		3	.....	Assault, third degree.....	5 days jail or \$5.
1		1	.....	Assault, third degree.....	Fined \$5.
1		1	.....	Assault, third degree.....	Suspended.
2		2	.....	Intoxication	3 months penitentiary.
1		1	.....	Intoxication	30 days jail or \$10.
1		1	.....	Intoxication	30 days jail.
1		1	.....	Intoxication	20 days jail.
1		1	.....	Intoxication	15 days jail or \$10.
1		1	.....	Intoxication	15 days jail.
13		12	1	Intoxication	10 days jail or \$10.
17		17	.....	Intoxication	10 days jail or \$5.
1		1	.....	Intoxication	10 days jail or \$2.
2		2	.....	Intoxication	10 days jail.
1		1	.....	Intoxication	6 days jail.
1		1	.....	Intoxication	5 days jail or \$5.
1		1	.....	Intoxication	5 days jail.
1		1	.....	Intoxication	Fined \$15.
1		1	.....	Intoxication	Fined \$5.
4		4	.....	Intoxication	Not stated.
82		79	3	Intoxication	Suspended.
3		2	1	Misdemeanor	4 months penitentiary.
4		4	.....	Misdemeanor	3 months penitentiary.
1		1	.....	Misdemeanor	2 months penitentiary.
1		1	.....	Misdemeanor	15 days jail.
5		4	1	Misdemeanor	10 days jail or \$10.
3		3	.....	Misdemeanor	10 days jail.
6		6	.....	Misdemeanor	5 days jail or \$5.
3		3	.....	Misdemeanor	5 days jail.
2		2	.....	Misdemeanor	Fined \$25.
1		1	.....	Misdemeanor	Fined \$15.
1		1	.....	Misdemeanor	Fined \$10.
5		5	.....	Misdemeanor	Fined \$5.
2		2	.....	Misdemeanor	Asylum.
23		23	1	Misdemeanor	Suspended.
1		1	.....	Petit larceny	4 months penitentiary.
1		1	.....	Petit larceny	15 days jail or \$10.
1		1	.....	Petit larceny	10 days jail or \$10.
1		1	.....	Petit larceny	Fined \$50.
1		1	.....	Petit larceny	Fined \$5.
1		1	.....	Petit larceny	Suspended.
9		9	.....	Vagrancy	Suspended.

Total, 215: men, 206; women, 9.

TABLE K—COUNTY OF HERKIMER—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Fourth quarter	1	1	Assault, third degree.	6 months penitentiary.
1		1	1	Assault, third degree.	30 days jail.
1		1	1	Assault, third degree.	20 days jail or \$20.
3		3	3	Assault, third degree.	Fined \$10.
3		3	3	Assault, third degree.	Fined \$5.
1		1	1	Assault, third degree.	Suspended.
1		1	1	Intoxication	3 months penitentiary.
1		1	1	Intoxication	30 days jail.
2		2	2	Intoxication	20 days jail and \$20.
1		1	1	Intoxication	15 days jail or \$10.
1		1	1	Intoxication	15 days jail.
1		1	1	Intoxication	10 days jail.
3		3	3	Intoxication	6 days jail.
1		1	1	Intoxication	5 days jail or \$5.
1		1	1	Intoxication	5 days jail.
1		1	1	Intoxication	3 days jail.
1		1	1	Intoxication	Fined \$25.
1		1	1	Intoxication	Fined \$10.
7		7	7	Intoxication	Fined \$5.
7		7	7	Intoxication	Not stated.
6		6	6	Intoxication	Probation.
1		1	1	Intoxication	Suspended.
6		6	6	Intoxication	15 days jail or \$15.
1		1	1	Misdemeanor	10 days jail or \$5.
2		2	2	Misdemeanor	5 days jail.
1		1	1	Misdemeanor	Fined \$50.
1		1	1	Misdemeanor	Fined \$20.
1		1	1	Misdemeanor	Fined \$10.
1		1	1	Misdemeanor	Fined \$5.
1		1	1	Misdemeanor	Fined \$3.
1		1	1	Misdemeanor	Bond required.
1		1	1	Misdemeanor	Asylum.
1		1	1	Misdemeanor	Not stated.
1		1	1	Misdemeanor	State Industrial School.
1		1	1	Misdemeanor	Suspended.

3 months penitentiary.
100 days penitentiary.
10 days jail or \$10.
5 days jail.
Fined \$25.
State Industrial School.
Suspended.

Petit larceny
Petit larceny
Petit larceny
Petit larceny
Petit larceny
Petit larceny
Petit larceny
Petit larceny

1
1
1
2
1
1
1
3

1
1
1
2
1
1
4

Total, 189; men, 181; women, 8.

COUNTY OF JEFFERSON

1	First quarter	1	Assault, third degree	.....	6 months penitentiary.
1		1	Assault, third degree	.....	6 months penitentiary.
2		2	Assault, third degree	.....	4 months penitentiary.
1		1	Assault, third degree	.....	10 days jail or \$10.
1		1	Assault, third degree	.....	Fined \$5.
2		2	Intoxication	.....	6 months penitentiary.
5		5	Intoxication	.....	59 days jail or \$10.
5		5	Intoxication	.....	59 days jail.
5		5	Intoxication	.....	30 days jail.
5		5	Intoxication	.....	28 days jail or \$10.
1		1	Intoxication	.....	28 days jail.
2		2	Intoxication	.....	20 days jail or \$5.
14		14	Intoxication	.....	20 days jail or \$3.
3		3	Intoxication	.....	20 days jail.
3		3	Intoxication	.....	15 days jail or \$5.
8		8	Intoxication	.....	15 days jail.
1		1	Intoxication	.....	10 days jail or \$10.
3		3	Intoxication	.....	10 days jail or \$5.
2		2	Intoxication	.....	10 days jail or \$3.
46		46	Intoxication	.....	10 days jail.
2		2	Intoxication	.....	Fined \$50.
1		1	Intoxication	.....	Fined \$5.
4		4	Intoxication	.....	Fined \$3.
4		4	Intoxication	.....	Banished.
5		5	Intoxication	.....	Not stated.
2		2	Intoxication	.....	Suspended.
56		56	Intoxication	.....	6 months penitentiary.
1		1	Misdemeanor	.....	4 months penitentiary or \$50.
1		1	Misdemeanor	.....	3 months penitentiary or \$40.
1		1	Misdemeanor	.....	25 days jail or \$25.
1		1	Misdemeanor	.....	5 days jail or \$5.
1		1	Misdemeanor	.....	Fined \$20.
1		1	Misdemeanor	.....	Fined \$5.
2		2	Misdemeanor	.....	Asylum.
2		2	Misdemeanor	.....	Suspended.
1		1	Misdemeanor	.....

TABLE K — COUNTY OF JEFFERSON — (Continued)

Number of Convictions	WHEN CONVICTED		Males	Females	OFFENSE	SENTENCE
	First quarter	Second quarter				
1	1	1	1	1	Petit larceny	50 days jail or \$25
2	2	1	2	1	Petit larceny	50 days jail
1	1	1	1	1	Petit larceny	Suspended.
Total, 205; men, 200; women, 5						
1	1	1	1	1	Assault, third degree.	
1	1	1	1	1	Assault, third degree.	
1	1	1	1	1	Assault, third degree.	
1	1	1	1	1	Assault, third degree.	
1	1	1	1	1	Assault, third degree.	
1	1	1	1	1	Assault, third degree.	
2	2	1	2	1	Assault, third degree.	
1	1	1	1	1	Assault, third degree.	
3	3	2	3	2	Intoxication	
11	11	1	11	1	Intoxication	
1	1	1	1	1	Intoxication	
1	1	1	1	1	Intoxication	
10	10	1	10	1	Intoxication	
2	2	1	2	1	Intoxication	
6	6	3	6	3	Intoxication	
16	16	1	16	1	Intoxication	
1	1	1	1	1	Intoxication	
2	2	1	2	1	Intoxication	
5	5	1	5	1	Intoxication	
5	5	1	5	1	Intoxication	
10	10	1	10	1	Intoxication	
2	2	1	2	1	Intoxication	
9	9	1	9	1	Intoxication	
2	2	1	2	1	Intoxication	
9	9	1	9	1	Intoxication	
1	1	1	1	1	Intoxication	
1	1	1	1	1	Intoxication	
20	20	1	20	1	Intoxication	Imprisoned. Suspended.

1	1	Misdemeanor	1	1	1 months penitentiary.
1	1	Misdemeanor	1	1	3 months penitentiary and \$25.
1	1	Misdemeanor	1	1	59 days jail and \$50.
2	2	Misdemeanor	2	2	59 days jail.
1	1	Misdemeanor	1	1	28 days jail or \$25.
2	2	Misdemeanor	2	2	20 days jail or \$5.
1	1	Misdemeanor	1	1	5 days jail or \$5.
1	1	Misdemeanor	1	1	Fined \$10.
1	1	Misdemeanor	1	1	Fined \$5.
7	7	Misdemeanor	7	7	Suspended.
1	1	Petit larceny	1	1	6 months penitentiary and \$50.
1	1	Petit larceny	1	1	4 months penitentiary.
1	1	Petit larceny	1	1	105 days penitentiary and \$50.
1	1	Petit larceny	1	1	40 days penitentiary or \$40.
1	1	Petit larceny	1	1	59 days jail and \$50.
4	4	Petit larceny	4	4	59 days jail or \$25.
2	2	Petit larceny	2	2	28 days jail or \$15.
2	2	Petit larceny	2	2	10 days jail or \$5.
1	1	Petit larceny	1	1	5 days jail or \$5.
3	3	Vagrancy	3	3	Adjudged a vagrant.

Total, 291; men, 278; women, 13.

1	1	Assault, third degree	1	1	6 months penitentiary and \$50.
1	1	Assault, third degree	1	1	4 months penitentiary.
1	1	Assault, third degree	1	1	59 days jail and \$50.
1	1	Assault, third degree	1	1	59 days jail and \$10.
1	1	Assault, third degree	1	1	59 days jail.
1	1	Assault, third degree	1	1	30 days jail.
1	1	Assault, third degree	1	1	20 days jail or \$20.
1	1	Assault, third degree	1	1	20 days jail.
1	1	Assault, third degree	1	1	10 days jail or \$10.
1	1	Assault, third degree	1	1	10 days jail or \$3.
2	2	Assault, third degree	2	2	5 days jail.
1	1	Assault, third degree	1	1	Not stated.
4	4	Assault, third degree	4	4	Suspended.
1	1	Intoxication	1	1	6 months penitentiary.
1	1	Intoxication	1	1	5 months penitentiary.
9	9	Intoxication	9	9	4 months penitentiary.
4	4	Intoxication	4	4	3 months penitentiary.
5	5	Intoxication	5	5	59 days jail or \$10.
2	2	Intoxication	2	2	59 days jail.
5	5	Intoxication	5	5	30 days jail or \$10.
3	3	Intoxication	3	3	30 days jail or \$5.
6	6	Intoxication	6	6	30 days jail.
5	5	Intoxication	5	5	28 days jail or \$10.
1	1	Intoxication	1	1	28 days jail.
14	14	Intoxication	14	14	20 days jail or \$5.

TABLE K — COUNTY OF JEFFERSON — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	.....	Intoxication	20 days jail.
1		1	.....	Intoxication	15 days jail or \$10.
30		30	.....	Intoxication	15 days jail or \$5.
2		2	.....	Intoxication	15 days jail or \$3.
4		4	.....	Intoxication	10 days jail or \$10.
110		110	.....	Intoxication	10 days jail or \$3.
9		8	1	Intoxication	10 days jail.
1		1	.....	Intoxication	5 days jail or \$5.
4		4	.....	Intoxication	Fined \$5.
1		1	.....	Intoxication	Not stated.
35		35	3	Intoxication	Suspended.
.....		.....	1	Intoxication	3 months penitentiary.
2		2	.....	Misdemeanor	59 days jail.
1		1	.....	Misdemeanor	30 days jail or \$5.
2		2	.....	Misdemeanor	30 days jail.
2		2	.....	Misdemeanor	25 days jail or \$25.
1		1	.....	Misdemeanor	20 days jail or \$20.
1		1	.....	Misdemeanor	10 days jail or \$10.
1		1	.....	Misdemeanor	7 1/2 days jail or \$7.
1		1	.....	Misdemeanor	5 days jail or \$5.
1		1	.....	Misdemeanor	Fined \$5.
1		1	.....	Misdemeanor	Fined \$1.
3		3	.....	Misdemeanor	Suspended.
7		7	.....	Misdemeanor	6 months penitentiary.
2		2	.....	Petit larceny	4 months penitentiary.
2		2	.....	Petit larceny	59 days jail or \$25.
2		2	.....	Petit larceny	59 days jail or \$15.
1		1	.....	Petit larceny	59 days jail.
2		2	.....	Petit larceny	40 days jail or \$40.
1		1	.....	Petit larceny	30 days jail.
2		2	.....	Petit larceny	20 days jail or \$25.
1		1	.....	Petit larceny	28 days jail or \$10.
2		2	.....	Petit larceny	10 days jail or \$10.

39	Assault, third degree	.....	Investigation.
8	Assault, third degree	.....	Probation.
16	Assault, third degree	.....	Suspended.
25	Misdemeanor	.....	Penitentiary.
1	Misdemeanor	.....	180 days jail.
1	Misdemeanor	.....	90 days jail.
1	Misdemeanor	.....	30 days jail or \$100.
1	Misdemeanor	.....	30 days jail or \$50.
18	Misdemeanor	.....	30 days jail.
1	Misdemeanor	.....	20 days jail or \$100.
1	Misdemeanor	.....	20 days jail.
1	Misdemeanor	.....	20 days jail or \$50.
2	Misdemeanor	.....	15 days jail.
2	Misdemeanor	.....	15 days jail or \$50.
4	Misdemeanor	.....	10 days jail or \$50.
8	Misdemeanor	.....	10 days jail or \$25.
12	Misdemeanor	.....	10 days jail.
1	Misdemeanor	.....	5 days jail or \$50.
18	Misdemeanor	.....	5 days jail or \$25.
1	Misdemeanor	.....	5 days jail.
1	Misdemeanor	.....	3 days jail or \$10.
1	Misdemeanor	.....	2 days jail or \$10.
11	Misdemeanor	.....	Fined \$1,000.
1	Misdemeanor	.....	Asylum.
5	Misdemeanor	.....	Investigation.
173	Misdemeanor	.....	Probation.
2	Misdemeanor	.....	Suspended.
41	Misdemeanor	.....	Penitentiary.
5	Petit larceny	.....	120 days jail.
1	Petit larceny	.....	90 days jail.
13	Petit larceny	.....	30 days jail.
14	Petit larceny	.....	20 days jail or \$50.
.....	Petit larceny	.....	15 days jail.
5	Petit larceny	.....	10 days jail or \$50.
1	Petit larceny	.....	10 days jail or \$25.
.....	Petit larceny	.....	10 days jail.
7	Petit larceny	.....	5 days jail or \$25.
2	Petit larceny	.....	2 days jail or \$10.
2	Petit larceny	.....	Asylum.
.....	Petit larceny	.....	Investigation.
120	Petit larceny	.....	Reformatory.
1	Petit larceny	.....	Probation.
13	Petit larceny	.....	Suspended.
12	Petit larceny	.....	10 days jail.
1	Violation Liquor Tax Law	.....	2 days jail or \$10.
14	Violation Liquor Tax Law	.....	Investigation.
8	Violation Liquor Tax Law	.....	Suspended.
10	Violation Liquor Tax Law	.....

Total, 694; men, 630; women, 54.

TABLE K — COUNTY OF KINGS — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
7	Second quarter	7	.....	Assault, third degree.....	Penitentiary.
5		5	.....	Assault, third degree.....	90 days jail.
4		4	.....	Assault, third degree.....	60 days jail.
3		3	.....	Assault, third degree.....	30 days jail.
1		1	.....	Assault, third degree.....	20 days jail or \$50.
2		2	.....	Assault, third degree.....	20 days jail.
1		1	.....	Assault, third degree.....	15 days jail.
7		5	2	Assault, third degree.....	10 days jail or \$25.
6		6	.....	Assault, third degree.....	5 days jail or \$25.
1		1	.....	Assault, third degree.....	5 days jail or \$15.
4		4	.....	Assault, third degree.....	3 days jail or \$10.
3		3	.....	Assault, third degree.....	2 days jail or \$10.
41		41	.....	Assault, third degree.....	Investigation.
5		5	.....	Assault, third degree.....	Probation.
7		7	.....	Assault, third degree.....	Suspended.
23		23	.....	Assault, third degree.....	Penitentiary.
3		3	.....	Misdemeanor.....	180 days jail.
2		2	.....	Misdemeanor.....	90 days jail or \$500.
8		8	.....	Misdemeanor.....	90 days jail.
5		4	1	Misdemeanor.....	60 days jail.
1		1	.....	Misdemeanor.....	30 days jail or \$100.
1		1	.....	Misdemeanor.....	30 days jail or \$50.
7		7	.....	Misdemeanor.....	30 days jail.
1		1	1	Misdemeanor.....	20 days jail or \$75.
4		.....	4	Misdemeanor.....	20 days jail.
1		4	.....	Misdemeanor.....	15 days jail or \$15.
1		1	.....	Misdemeanor.....	15 days jail.
6		1	.....	Misdemeanor.....	10 days jail or \$50.
1		1	.....	Misdemeanor.....	10 days jail or \$35.
10		10	.....	Misdemeanor.....	10 days jail or \$25.
2		2	.....	Misdemeanor.....	10 days jail.
1		1	.....	Misdemeanor.....	5 days jail or \$50.
1		1	.....	Misdemeanor.....	5 days jail or \$25.
25		23	2	Misdemeanor.....	5 days jail or \$10.
1		1	.....	Misdemeanor.....	5 days jail.
1		1	.....	Misdemeanor.....	2 days jail or \$10.
10		10	4	Misdemeanor.....	2 days jail or \$10.

8	7	1	Misdemeanor	.....	2 days jail or \$5.
1	1	.....	Misdemeanor	.....	Fined \$50.
190	180	10	Misdemeanor	.....	Investigation.
1	1	.....	Misdemeanor	.....	Reformatory.
11	9	2	Misdemeanor	.....	Probation.
35	28	7	Misdemeanor	.....	Suspended.
12	10	2	Petit larceny	.....	Penitentiary.
2	2	.....	Petit larceny	.....	90 days jail.
4	4	.....	Petit larceny	.....	60 days jail.
9	9	.....	Petit larceny	.....	30 days jail.
2	2	.....	Petit larceny	.....	20 days jail.
5	5	.....	Petit larceny	.....	15 days jail.
.....	.....	1	Petit larceny	.....	10 days jail or \$50.
11	11	.....	Petit larceny	.....	10 days jail.
1	1	.....	Petit larceny	.....	5 days jail or \$25.
.....	.....	1	Petit larceny	.....	5 days jail.
1	1	.....	Petit larceny	.....	2 days jail or \$10.
134	134	24	Petit larceny	.....	Investigation.
2	2	.....	Petit larceny	.....	Reformatory.
3	3	1	Petit larceny	.....	Probation.
14	14	.....	Petit larceny	.....	Suspended.
1	1	.....	Violation Liquor Tax Law	.....	5 days jail or \$25.
58	58	1	Violation Liquor Tax Law	.....	2 days jail or \$10.
9	9	5	Violation Liquor Tax Law	.....	Investigation.
11	11	1	Violation Liquor Tax Law	.....	Suspended.
Total, —; men, —; women, —.					
Third quarter	9	.....	Assault, third degree.	.....	New York penitentiary.
	5	.....	Assault, third degree.	.....	90 days jail.
	4	.....	Assault, third degree.	.....	60 days jail.
	3	.....	Assault, third degree.	.....	30 days jail or \$100.
	4	.....	Assault, third degree.	.....	30 days jail.
	1	.....	Assault, third degree.	.....	20 days jail or \$75.
	1	.....	Assault, third degree.	.....	15 days jail or \$50.
	2	.....	Assault, third degree.	.....	10 days jail or \$50.
	9	.....	Assault, third degree.	.....	10 days jail or \$25.
	2	.....	Assault, third degree.	.....	10 days jail.
	12	.....	Assault, third degree.	.....	5 days jail or \$25.
	1	.....	Assault, third degree.	.....	5 days jail or \$10.
	1	.....	Assault, third degree.	.....	2 days jail or \$10.
	64	.....	Assault, third degree.	.....	Investigation.
	6	.....	Assault, third degree.	.....	Probation.
	14	.....	Assault, third degree.	.....	Suspended.
	23	.....	Misdemeanor	.....	New York penitentiary.
	2	.....	Misdemeanor	.....	180 days jail.
	.....	1	Misdemeanor	.....	120 days jail.
	2	.....	Misdemeanor	.....	90 days jail.
	4	.....	Misdemeanor	.....	60 days jail.
	2	.....	Misdemeanor	.....	30 days jail or \$150.

TABLE K — COUNTY OF KINGS — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
6	Third quarter	5	1	Misdemeanor	30 days jail or \$100.
12		12	...	Misdemeanor	30 days jail.
1		...	1	Misdemeanor	15 days jail or \$50.
1		...	...	Misdemeanor	15 days jail.
4		1	...	Misdemeanor	10 days jail or \$50.
10		4	...	Misdemeanor	10 days jail or \$25.
35		9	1	Misdemeanor	5 days jail or \$25.
1		33	2	Misdemeanor	5 days jail or \$15.
1		1	...	Misdemeanor	5 days jail or \$10.
1		1	...	Misdemeanor	5 days jail.
2		1	...	Misdemeanor	2 days jail or \$10.
3		2	...	Misdemeanor	2 days jail or \$5.
1		1	...	Misdemeanor	Fined \$250.
1		1	...	Misdemeanor	Fined \$100.
1		2	...	Misdemeanor	Fined \$50.
2		1	...	Misdemeanor	Asylum.
189		186	3	Misdemeanor	Investigation.
1		1	...	Misdemeanor	New York City reformatory.
13		13	...	Misdemeanor	Probation.
54		52	2	Misdemeanor	Suspended.
4		3	1	Petit larceny	New York penitentiary.
5		4	1	Petit larceny	90 days jail.
5		5	...	Petit larceny	60 days jail.
15		13	2	Petit larceny	30 days jail.
4		2	2	Petit larceny	20 days jail or \$50.
1		1	...	Petit larceny	20 days jail.
1		7	1	Petit larceny	10 days jail or \$25.
1		1	...	Petit larceny	10 days jail or \$20.
9		...	1	Petit larceny	10 days jail or \$10.
8		9	...	Petit larceny	10 days jail.
2		5	3	Petit larceny	5 days jail or \$25.
1		2	...	Petit larceny	2 days jail or \$10.
1		...	1	Petit larceny	Asylum.
185		165	30	Petit larceny	Investigation.
3		3	...	Petit larceny	New York City reformatory.
9		7	...	Petit larceny	Probation.
14		16	2	Petit larceny	Suspended.
16		4	...	Violation Liquor Tax Law	30 days jail and \$200.
1		1	...	Violation Liquor Tax Law	10 days jail or \$25.

1	1	1	Violation Liquor Tax Law	5 days jail or \$25.
1	77	77	Violation Liquor Tax Law	2 days jail or \$10.
77	15	15	Violation Liquor Tax Law	Investigation.
15	15	15	Violation Liquor Tax Law	Suspended.
Total, 918; men, 857; women, 61.				
Fourth quarter				
1	1	1	Assault, third degree	Penitentiary.
1	1	1	Assault, third degree	60 days jail.
1	1	1	Assault, third degree	30 days jail or \$100.
1	1	1	Assault, third degree	30 days jail or \$50.
1	1	1	Assault, third degree	20 days jail or \$50.
2	2	2	Assault, third degree	15 days jail.
2	1	1	Assault, third degree	10 days jail or \$50.
1	1	1	Assault, third degree	10 days jail or \$25.
3	12	12	Assault, third degree	10 days jail.
12	1	1	Assault, third degree	5 days jail or \$25.
2	2	2	Assault, third degree	5 days jail or \$20.
7	29	29	Assault, third degree	5 days jail or \$15.
29	13	13	Assault, third degree	2 days jail or \$10.
13	22	22	Assault, third degree	Investigation.
18	18	18	Assault, third degree	Probation.
5	5	5	Misdemeanor	Suspended.
2	2	2	Misdemeanor	Penitentiary.
1	1	1	Misdemeanor	90 days jail.
6	6	6	Misdemeanor	60 days jail.
2	2	2	Misdemeanor	30 days jail or \$50.
5	5	5	Misdemeanor	30 days jail.
5	5	5	Misdemeanor	15 days jail or \$50.
25	25	25	Misdemeanor	10 days jail or \$50.
1	1	1	Misdemeanor	10 days jail.
5	5	5	Misdemeanor	5 days jail or \$25.
1	1	1	Misdemeanor	5 days jail.
5	5	5	Misdemeanor	2 days jail or \$10.
24	24	24	Misdemeanor	1 day jail or \$5.
110	110	110	Misdemeanor	Asylum.
1	1	1	Misdemeanor	Investigation.
14	14	14	Misdemeanor	New York City reformatory.
50	50	50	Misdemeanor	Probation.
10	10	10	Misdemeanor	Suspended.
6	6	6	Petit larceny	Penitentiary.
5	5	5	Petit larceny	90 days jail.
1	1	1	Petit larceny	30 days jail.
1	1	1	Petit larceny	20 days jail.
1	1	1	Petit larceny	15 days jail.
6	6	6	Petit larceny	10 days jail or \$50.
9	9	9	Petit larceny	10 days jail.
2	2	2	Petit larceny	5 days jail or \$25.
1	1	1	Petit larceny	2 days jail or \$10.
1	1	1	Petit larceny	Fined \$25; probation.
1	1	1	Petit larceny	Asylum.

TABLE K — COUNTY OF KINGS — (Continued)

Number of convictions	WHEN CONVICTED	OFFENSE		SENTENCE
		Males	Females	
130	Fourth quarter	118	12	Petit larceny
12		9	3	Petit larceny
30		27	3	Petit larceny
2		2		Violation Liquor Tax Law
1		1		Violation Liquor Tax Law
1		1		Violation Liquor Tax Law
89		88	1	Violation Liquor Tax Law
16		12	4	Violation Liquor Tax Law
22		21	1	Violation Liquor Tax Law
Total, 757; men, 692; women, 65.				
COUNTY OF LEWIS				
1	First quarter	1		Assault, third degree
1		1		Intoxication
1		1		Misdemeanor
1		1		Misdemeanor
1		1		Misdemeanor
1		1		Misdemeanor
1		1		Misdemeanor
Total, 6; men, 6; women, 0.				
1	Second quarter	1		Intoxication
1			1	Intoxication
1		1		Intoxication
4			4	Misdemeanor
2		2		Misdemeanor
1		1		Petit larceny
Total, 10; men, 5; women, 5.				
1	Third quarter	1		Assault, third degree
1		1		Assault, third degree
1		1		Intoxication
1		1		Intoxication
1		1		Intoxication

4	.....	Misdemeanor	.....	15 days jail or \$15.
1	.....	Misdemeanor	.....	Fined \$10.
1	.....	Misdemeanor	.....	Adjudged a disorderly person.
2	.....	Petit larceny	.....	6 months penitentiary.
1	.....	Petit larceny	.....	4 months penitentiary.

Total, 14; men, 14; women, 0.

1	.....	.....	degree.	Fined \$25.
1	.....	.....	degree	Fined \$15.
1	.....	.....	.....	6 months penitentiary.
1	.....	.....	.....	30 days jail.
1	.....	.....	.....	15 days jail and \$15.
4	.....	.....	.....	15 days jail or \$15.
1	.....	Misdemeanor	.....	Adjudged a disorderly person.
1	.....	Misdemeanor	.....	Fined \$5.
1	.....	Petit larceny	.....	6 months penitentiary.
2	.....	Petit larceny	.....	4 months penitentiary.
1	.....	Petit larceny	.....	4 months penitentiary.

Total, 14; men, 14; women, 0.

COUNTY OF LIVINGSTON

1	.....	Intoxication	.....	6 months penitentiary.
1	.....	Intoxication	.....	60 days jail.
1	.....	Intoxication	.....	30 days jail.
1	.....	Intoxication	.....	10 days jail or \$10.
2	.....	Intoxication	.....	Fined \$10.
2	.....	Intoxication	.....	Fined \$5.
1	.....	Intoxication	.....	Suspended.
1	.....	Intoxication	.....	15 days jail or \$15.
1	.....	Misdemeanor	.....	Not stated.
1	.....	Misdemeanor	.....	65 days penitentiary.
1	.....	Petit larceny	.....	Not stated.
1	.....	Petit larceny	.....	Not stated.

Total, 13; men, 13; women, 0.

2	.....	Intoxication	.....	.....
1	.....	Intoxication	.....	.....
1	.....	Intoxication	.....	.....
1	.....	Intoxication	.....	.....
2	.....	Intoxication	.....	.....
2	.....	Intoxication	.....	.....
1	.....	Intoxication	.....	.....
1	.....	Misdemeanor	.....	.....
1	.....	Petit larceny	.....	.....
1	.....	Petit larceny	.....	.....

and \$50.

TABLE K — COUNTY OF LIVINGSTON — (Continued)

Number of convictions	When Convicted	Males	Females	Offenses	Sentence	
1	Second quarter	1	1	Vagrancy	6 months penitentiary.	
1		1	1	Vagrancy	96 days penitentiary.	
1		1	1	Vagrancy	10 days jail.	
1		2	2	Vagrancy	Not stated.	
1		1	1	Vagrancy	Suspended.	
		Total, 18; men, 17; women, 1.				
1	Third quarter	1	1	Intoxication	110 days penitentiary.	
1		1	1	Intoxication	100 days penitentiary and \$10.	
1		1	1	Intoxication	180 days jail.	
1		1	1	Intoxication	90 days jail.	
1		1	1	Intoxication	10 days jail.	
1		1	1	Intoxication	Fined \$25.	
1		1	1	Intoxication	Fined \$20.	
1		1	1	Intoxication	Suspended.	
1		1	1	Intoxication	Suspended.	
1		1	1	Petit larceny	Not stated.	
		Total, 10; men, 10; women, 0.				
1	Fourth quarter	1	1	degrees.		
2		2	2	degrees.		
3		3	3			
1		1	1			
2		2	2			
2		2	2			
1		1	1			
1		1	1			
1		1	1			
1		1	1			
		Total, 14; men, 14; women, 0.				
		COUNTY OF MADISON				
1	First quarter	1	1	Assault, third degree.	Suspended.	
1		1	1	Intoxication	4 months penitentiary.	
1		1	1	Intoxication	3 months penitentiary.	
3		2	1	Intoxication	2 months penitentiary.	

2	2	Intoxication	60 days jail.
2	2	Intoxication	59 days jail.
2	2	Intoxication	30 days jail and \$3.
11	1	Intoxication	30 days jail.
1	1	Intoxication	20 days jail.
25	2	Intoxication	10 days jail.
2	1	Intoxication	8 days jail.
1	1	Intoxication	5 days jail and \$5.
2	1	Intoxication	5 days jail or \$5.
10	4	Intoxication	3 days jail and \$3.
4	1	Intoxication	2 days jail or \$3.
1	1	Intoxication	Not stated.
18	1	Intoxication	Suspended.
1	1	Misdemeanor	6 months penitentiary.
1	2	Misdemeanor	30 days jail.
10	2	Misdemeanor	5 days jail and \$5.
10	2	Misdemeanor	5 days jail or \$5.
5	5	Misdemeanor	Suspended.
1	1	Petit larceny	30 days jail.
1	1	Petit larceny	Suspended.
1	1	Vagrancy	2 months penitentiary.
1	1	Vagrancy	90 days jail.
2	2	Vagrancy	30 days jail.
1	1	Vagrancy	20 days jail.
5	5	Vagrancy	Banished.
9	9	Vagrancy	Not stated.
1	1	Vagrancy	Suspended.
Total, 130; men, 127; women, 3.			
1	1	Intoxication	25 days jail and \$25.
1	1	Intoxication	10 days jail and \$10.
1	1	Intoxication	4 months penitentiary.
1	1	Intoxication	2 months penitentiary and \$10.
9	9	Intoxication	2 months penitentiary.
1	1	Intoxication	100 days penitentiary.
3	3	Intoxication	40 days jail.
5	5	Intoxication	30 days jail and \$5.
35	35	Intoxication	30 days jail.
2	2	Intoxication	20 days jail.
2	2	Intoxication	15 days jail.
2	2	Intoxication	10 days jail and \$10.
2	2	Intoxication	10 days jail or \$10.
1	1	Intoxication	10 days jail.
12	12	Intoxication	5 days jail and \$5.
5	5	Intoxication	3 days jail or \$3.
21	21	Intoxication	Fined \$10.
1	1	Intoxication	Fined \$5.
3	3	Intoxication	
Second quarter			
1	1	Intoxication	25 days jail and \$25.
1	1	Intoxication	10 days jail and \$10.
1	1	Intoxication	4 months penitentiary.
1	1	Intoxication	2 months penitentiary and \$10.
9	9	Intoxication	2 months penitentiary.
1	1	Intoxication	100 days penitentiary.
3	3	Intoxication	40 days jail.
5	5	Intoxication	30 days jail and \$5.
35	35	Intoxication	30 days jail.
2	2	Intoxication	20 days jail.
2	2	Intoxication	15 days jail.
2	2	Intoxication	10 days jail and \$10.
2	2	Intoxication	10 days jail or \$10.
1	1	Intoxication	10 days jail.
13	13	Intoxication	5 days jail and \$5.
5	5	Intoxication	3 days jail or \$3.
21	21	Intoxication	Fined \$10.
1	1	Intoxication	Fined \$5.
3	3	Intoxication	

TABLE K — COUNTY OF MADISON — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
17	Second quarter	16	1	Intoxication	Suspended.
3		3		Misdemeanor	3 days jail and \$3.
1		1		Misdemeanor	Fined \$10.
2		1	1	Misdemeanor	Suspended.
2		2		Petit larceny	2 months penitentiary.
2		2		Vagrancy	6 months penitentiary.
1		1		Vagrancy	2 months penitentiary.
1		1		Vagrancy	60 days jail.
7		7		Vagrancy	30 days jail.
6		6		Vagrancy	Adjudged vagrants.
1		1		Vagrancy	Suspended.
		Total, 150; men, 147; women, 3.			
1	Third quarter	1		Intoxication	6 months penitentiary.
1		1		Intoxication	3 months penitentiary.
1		1		Intoxication	2 months penitentiary and \$5.
4		4		Intoxication	2 months penitentiary.
1		1		Intoxication	90 days jail.
1		1		Intoxication	59 days jail.
1		1		Intoxication	40 days jail.
1		1		Intoxication	30 days jail and \$5.
20		20		Intoxication	30 days jail or \$5.
4		4		Intoxication	30 days jail.
33		32	1	Intoxication	30 days jail.
1		1		Intoxication	20 days jail and \$5.
2		2		Intoxication	15 days jail or \$5.
2		2		Intoxication	15 days jail.
1		1		Intoxication	10 days jail and \$10.
2		2		Intoxication	10 days jail or \$10.
2		2		Intoxication	10 days jail or \$5.
1		1		Intoxication	10 days jail or \$3.
8		8		Intoxication	10 days jail.
4		4		Intoxication	7 days jail or \$7.
24		24		Intoxication	5 days jail and \$5.
22		22		Intoxication	5 days jail or \$5.

1	1	Intoxication	.....	4 days jail or \$5.
1	1	Intoxication	.....	3 days jail or \$3.
1	1	Intoxication	.....	Fined \$10.
22	22	Intoxication	.....	Fined \$5.
10	10	Intoxication	.....	Suspended.
1	1	Misdemeanor	.....	50 days jail or \$50.
1	1	Misdemeanor	.....	30 days jail or \$5.
3	3	Misdemeanor	.....	30 days jail.
1	1	Misdemeanor	.....	20 days jail or \$20.
3	3	Misdemeanor	.....	10 days jail or \$10.
1	1	Misdemeanor	.....	5 days jail or \$5.
1	1	Misdemeanor	.....	3 days jail or \$3.
1	1	Misdemeanor	.....	2 days jail or \$2.
.....	1	Misdemeanor	.....	Asylum.
4	4	Misdemeanor	.....	Suspended.
1	1	Petit larceny	.....	10 days jail.
.....	1	Petit larceny	.....	5 days jail or \$5.
.....	1	Vagrancy	.....	2 months penitentiary.
.....	.....	Vagrancy	.....	40 days jail.
.....	.....	Vagrancy	.....	30 days jail.
.....	.....	Vagrancy	.....	20 days jail.
4	4	Vagrancy	.....	Not stated.
Total, 198; men, 195; women, 3.				

1	1	Assault, third degree	.....	3 months penitentiary.
1	1	Intoxication	.....	6 months penitentiary.
1	1	Intoxication	.....	3 months penitentiary.
1	1	Intoxication	.....	2 months penitentiary.
1	1	Intoxication	.....	60 days jail.
1	1	Intoxication	.....	59 days jail.
1	1	Intoxication	.....	50 days jail.
6	6	Intoxication	.....	30 days jail and \$5.
12	12	Intoxication	.....	30 days jail.
3	3	Intoxication	.....	20 days jail.
7	7	Intoxication	.....	15 days jail and \$5.
4	4	Intoxication	.....	15 days jail.
7	7	Intoxication	.....	10 days jail and \$5.
1	1	Intoxication	.....	10 days jail and \$3.
3	3	Intoxication	.....	10 days jail.
5	5	Intoxication	.....	5 days jail or \$5.
1	1	Intoxication	.....	Suspended.
34	34	Intoxication	.....	180 days jail.
1	1	Misdemeanor	.....	50 days jail or \$50.
1	1	Misdemeanor	.....	30 days jail or \$5.
2	2	Misdemeanor	.....	15 days jail or \$15.
1	1	Misdemeanor	.....	10 days jail or \$10.
3	3	Misdemeanor	.....	5 days jail or \$5.
6	6	Misdemeanor	.....	.....
Fourth quarter				
1	1	Assault, third degree	.....	3 months penitentiary.
1	1	Intoxication	.....	6 months penitentiary.
1	1	Intoxication	.....	3 months penitentiary.
1	1	Intoxication	.....	2 months penitentiary.
1	1	Intoxication	.....	60 days jail.
1	1	Intoxication	.....	59 days jail.
1	1	Intoxication	.....	50 days jail.
5	5	Intoxication	.....	30 days jail and \$5.
12	12	Intoxication	.....	30 days jail.
3	3	Intoxication	.....	20 days jail.
7	7	Intoxication	.....	15 days jail and \$5.
4	4	Intoxication	.....	15 days jail.
7	7	Intoxication	.....	10 days jail and \$5.
1	1	Intoxication	.....	10 days jail and \$3.
3	3	Intoxication	.....	10 days jail.
5	5	Intoxication	.....	5 days jail or \$5.
1	1	Intoxication	.....	Suspended.
34	34	Intoxication	.....	180 days jail.
1	1	Misdemeanor	.....	50 days jail or \$50.
1	1	Misdemeanor	.....	30 days jail or \$5.
2	2	Misdemeanor	.....	15 days jail or \$15.
1	1	Misdemeanor	.....	10 days jail or \$10.
3	3	Misdemeanor	.....	5 days jail or \$5.
6	6	Misdemeanor	.....	.....

TABLE K—COUNTY OF MADISON—(Continued)

Number of convictions	When Convicted	Males	Females	OFFENSE	SENTENCE
29	Fourth quarter	29	..	Misdemeanor	3 days jail or \$3.
4		4	..	Misdemeanor	2 days jail or \$2.
2		2	..	Misdemeanor	1 day jail or \$1.
1		1	..	Misdemeanor	Fined \$25.
4		4	..	Misdemeanor	Suspended.
1		1	..	Petit larceny	4 months penitentiary.
1		1	..	Petit larceny	3 months penitentiary.
1		1	..	Petit larceny	Suspended.
1		1	..	Vagrancy	Penitentiary; not stated.
1		1	..	Vagrancy	Suspended.
18		18	..	Total, 211; men, 210; women, 1.	

COUNTY OF MONROE

Number of convictions	When Convicted	Males	Females	OFFENSE	SENTENCE
1	First quarter	1	..	Assault, third degree	\$90.
2		2	..	Assault, third degree	\$30.
2		2	..	Assault, third degree	\$25.
7		7	..	Assault, third degree	\$15.
1		1	..	Assault, third degree	
1		1	..	Assault, third degree	
1		1	..	Assault, third degree	
4		4	..	Assault, third degree	\$10.
11		11	..	Assault, third degree	
15		15	..	Assault, third degree	
1		1	..	Intoxication	
1		1	..	Intoxication	
2		2	..	Intoxication	
11		11	..	Intoxication	
9		9	..	Intoxication	
21		21	1	Intoxication	\$10.
29		29	4	Intoxication	30 days penitentiary or \$5.
73		73	..	Intoxication	15 days penitentiary or \$5.
61		61	..	Intoxication	15 days penitentiary or \$10.
0		0	..	Intoxication	
1		1	..	Intoxication	

TABLE K — COUNTY OF MONROE — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
3	First quarter	3	1	Vagrancy	Asylum.
1				Vagrancy	Suspended; probation.
				Total, 889; men, 854; women, 35.	
1	Second quarter	1		Assault, third degree.	3 months penitentiary.
1		1		Assault, third degree.	1 month penitentiary.
1		3		Assault, third degree.	
1		1		Assault, third degree.	
1		1		Assault, third degree.	
3		3		Assault, third degree.	
4		4		Assault, third degree.	
1		1		Assault, third degree.	
9		9		Assault, third degree.	
19		19		Assault, third degree.	
19		19		Assault, third degree.	
10		8		Intoxication	
14		13		Intoxication	
12		12		Intoxication	
20		20		Intoxication	
58		58		Intoxication	
2		2		Intoxication	
25		25		Intoxication	
1		1		Intoxication	
4		4		Intoxication	
1		1		Intoxication	
4		4		Intoxication	
1		1		Intoxication	
1		1		Intoxication	
16		138		Intoxication	
124				Intoxication	
1				Misdemeanor	
1				Misdemeanor	
1				Misdemeanor	
1				Misdemeanor	
4				Misdemeanor	
2				Misdemeanor	
4				Misdemeanor	

\$500.

7	6	2	Misdemeanor	Suspended; probation.
149	145	4	Misdemeanor	Suspended.
1	1		Petit larceny	12 months penitentiary.
2	2		Petit larceny	6 months penitentiary.
1	1		Petit larceny	4 months penitentiary.
5	5		Petit larceny	3 months penitentiary.
2	2		Petit larceny	2 months penitentiary.
1	1		Petit larceny	
1	1		Petit larceny	
1	1		Petit larceny	
2	2		Petit larceny	
1	1		Petit larceny	
3	3		Petit larceny	
1	1		Petit larceny	
32	31	1	Petit larceny	
14	14		Petit larceny	
1	1		Vagrancy	Suspended.
133	124	9	Vagrancy	3 months penitentiary.
1		1	Vagrancy	Adjudged vagrants.
			Vagrancy	Asylum.

Total, 1,065; men, 1,002; women, 63.

Fourth quarter	9 months penitentiary.
1	6 months penitentiary.
1	2 months penitentiary.
3	
1	
1	
1	
2	
1	
2	
1	
1	
1	
7	
2	
4	
14	
2	
21	
30	
27	
16	
37	
2	
6	
1	
1	
2	
	60 days penitentiary or \$10.
	30 days penitentiary or \$5.
	15 days penitentiary.
	10 days penitentiary or \$10.
	10 days penitentiary or \$3.
	2 days penitentiary or \$2.
	Asylum.

TABLE K — COUNTY OF MONROE — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
20	Fourth quarter	14	6	Intoxication	Suspended; probation.
202		196	6	Intoxication	Suspended.
3		3		Misdemeanor	6 months penitentiary
1		1		Misdemeanor	6 months penitentiary.
2		2		Misdemeanor	6 months penitentiary.
1		1		Misdemeanor	3 months penitentiary.
19		19		Misdemeanor	2 months penitentiary.
3		3		Misdemeanor	
1		1		Misdemeanor	\$100.
1		1		Misdemeanor	\$75.
1		1		Misdemeanor	\$30.
1		1		Misdemeanor	\$10.
1		1		Misdemeanor	\$50.
3		3		Misdemeanor	\$32.
13		13		Misdemeanor	25 days penitentiary or \$25.
4		4		Misdemeanor	22 days penitentiary or \$22.
8		8		Misdemeanor	16 days penitentiary or \$16.
5		5		Misdemeanor	15 days penitentiary.
19		19		Misdemeanor	\$10.
2		2		Misdemeanor	
34		33	1	Misdemeanor	\$5.
1		1		Misdemeanor	\$3.
1		1		Misdemeanor	reons.
26		26		Misdemeanor	
3		1	3	Misdemeanor	
1		4		Misdemeanor	
4		5		Misdemeanor	
6		72	1	Misdemeanor	
7		4	2	Misdemeanor	
1		4		Petit larceny	2 months penitentiary.
5		5		Petit larceny	2 months penitentiary.
5		5		Petit larceny	1 month penitentiary.
5		5		Petit larceny	60 days penitentiary or \$60
2		2		Petit larceny	60 days penitentiary or \$60
1		1		Petit larceny	60 days penitentiary or \$60
1		1		Petit larceny	60 days penitentiary or \$60

5	.....	Petit larceny	.....	10 days penitentiary or \$10.
3	1	Petit larceny	.....	5 days penitentiary or \$5.
2	2	Petit larceny	.....	2 days penitentiary or \$2.
4	.....	Petit larceny	.....	Fined \$5.
4	.....	Petit larceny	.....	Asylum.
15	.....	Petit larceny	.....	Suspended; probation.
13	.....	Petit larceny	.....	Suspended.
3	1	Petit larceny	.....	6 months penitentiary.
6	.....	Vagrancy	.....	2 months penitentiary.
3	.....	Vagrancy	.....	1 month penitentiary.
1	.....	Vagrancy	.....	10 days penitentiary.
92	6	Vagrancy	.....	Adjudged vagrants.
3	4	Vagrancy	.....	Asylum.
1	.....	Vagrancy	.....	Probation.
3	1	Vagrancy	.....	Suspended; probation.
1	.....	Vagrancy	.....	Suspended.
1	.....	Vagrancy	.....
Total, 848; men, 803; women, 45.				

COUNTY OF MONTGOMERY

1	.....	Assault, third degree	.....	6 months penitentiary.
2	.....	Assault, third degree	.....	3 months penitentiary.
2	.....	Assault, third degree	.....	10 days jail.
3	.....	Assault, third degree	.....	5 days jail.
2	.....	Assault, third degree	.....	Fined \$20.
1	.....	Assault, third degree	.....	Fined \$10.
2	1	Assault, third degree	.....	Suspended; probation.
4	.....	Assault, third degree	.....	Suspended.
2	.....	Intoxication	.....	4 months penitentiary.
2	.....	Intoxication	.....	3 months penitentiary.
1	.....	Intoxication	.....	2 months penitentiary.
9	.....	Intoxication	.....	59 days jail.
10	.....	Intoxication	.....	30 days jail.
2	.....	Intoxication	.....	20 days jail.
2	.....	Intoxication	.....	15 days jail.
3	.....	Intoxication	.....	10 days jail.
3	.....	Intoxication	.....	5 days jail.
3	.....	Intoxication	.....	3 days jail.
1	.....	Intoxication	.....	Fined \$5.
1	.....	Intoxication	.....	Suspended; probation.
16	.....	Intoxication	.....	Suspended.
1	.....	Misdemeanor	.....	4 months penitentiary.
1	.....	Misdemeanor	.....	3 months penitentiary.
2	.....	Misdemeanor	.....	30 days jail.
6	.....	Misdemeanor	.....	20 days jail.
1	.....	Misdemeanor	.....	10 days jail.
18	.....	Misdemeanor	.....
First quarter				

TABLE K — COUNTY OF MONTGOMERY — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	First quarter	1	.....	Misdemeanor	3 days jail.
1		1	.....	Misdemeanor	2 days jail or \$20.
2		2	.....	Misdemeanor	2 days jail.
1		1	.....	Misdemeanor	Fined \$15.
1		1	.....	Misdemeanor	Fined \$10.
1		1	.....	Misdemeanor	Not stated.
5		5	.....	Misdemeanor	Suspended ; probation.
9		9	.....	Misdemeanor	Suspended.
1		1	.....	Petit larceny	59 days jail.
1		1	.....	Petit larceny	30 days jail.
1		1	.....	Petit larceny	10 days jail.
5		5	.....	Petit larceny	5 days jail.
1		1	.....	Petit larceny	2 days jail.
1		1	.....	Petit larceny	Fined \$25 ; probation.
1		1	.....	Petit larceny	Asylum.
2		2	.....	Petit larceny	State Industrial School.
4		4	.....	Petit larceny	Suspended.
4		4	.....	Petit larceny	60 days jail.
1		1	.....	Vagrancy	30 days jail.
3		3	.....	Vagrancy	Not stated.
1		1	.....	Vagrancy	Suspended.
1		1	.....	Vagrancy	Suspended.
Total, 158 ; men, 157 ; women, 1.					
1	Second quarter	1	.....	Assault, third degree.....	3 months penitentiary.
1		1	.....	Assault, third degree.....	30 days jail and \$50.
1		1	.....	Assault, third degree.....	15 days jail.
1		1	.....	Assault, third degree.....	10 days jail.
1		1	.....	Assault, third degree.....	5 days jail.
1		1	.....	Assault, third degree.....	Fined \$25.
3		3	.....	Assault, third degree.....	Fined \$10.
1		1	.....	Assault, third degree.....	Bond required ; not stated.
3		3	.....	Assault, third degree.....	Suspended ; probation.
1		1	.....	Assault, third degree.....	Suspended.
1		1	.....	Assault, third degree.....	Suspended.
1		1	.....	Assault, third degree.....	Suspended.
1		1	.....	Assault, third degree.....	Suspended.

1	Intoxication	.....	.....	6 months penitentiary.
6	Intoxication	.....	.....	3 months penitentiary.
4	Intoxication	.....	.....	59 days jail.
1	Intoxication	.....	.....	45 days jail.
5	Intoxication	.....	.....	30 days jail.
1	Intoxication	.....	.....	15 days jail.
4	Intoxication	.....	.....	10 days jail.
2	Intoxication	.....	.....	5 days jail.
1	Intoxication	.....	.....	Fined \$10.
1	Intoxication	.....	.....	Fined \$5.
1	Intoxication	.....	.....	Asylum.
.....	Intoxication	.....	.....	Suspended.
20	Intoxication	.....	.....	3 months penitentiary.
3	Misdemeanor	.....	.....	2 months penitentiary.
3	Misdemeanor	.....	.....	59 days jail.
5	Misdemeanor	.....	.....	50 days jail.
2	Misdemeanor	.....	.....	30 days jail.
4	Misdemeanor	.....	.....	15 days jail.
3	Misdemeanor	.....	.....	10 days jail.
9	Misdemeanor	.....	.....	5 days jail.
2	Misdemeanor	.....	.....	2 days jail or \$2.
1	Misdemeanor	.....	.....	Fined \$25.
1	Misdemeanor	.....	.....	Fined \$15.
1	Misdemeanor	.....	.....	Fined \$5.
1	Misdemeanor	.....	.....	Fined \$2.
5	Misdemeanor	.....	.....	Bond required; not stated.
2	Misdemeanor	.....	.....	Probation.
4	Misdemeanor	.....	.....	Suspended; probation.
25	Misdemeanor	.....	.....	Suspended.
1	Petit larceny	.....	.....	3 months penitentiary.
1	Petit larceny	.....	.....	2 months penitentiary.
1	Petit larceny	.....	.....	10 days jail and \$22.
.....	Petit larceny	.....	.....	Suspended; probation.
1	Petit larceny	.....	.....	Suspended.
1	Vagrancy	.....	.....	3 months penitentiary.
4	Vagrancy	.....	.....	2 months penitentiary.
1	Vagrancy	.....	.....	59 days jail.
5	Vagrancy	.....	.....	30 days jail.
3	Vagrancy	.....	.....	10 days jail.
1	Vagrancy	.....	.....	Not stated.
2	Vagrancy	.....	.....	Suspended.
6	Vagrancy	.....	.....	Suspended.
Total, 163; men, 158; women, 5.				
2	Assault, third degree	.....	.....	2 months penitentiary.
1	Assault, third degree	.....	.....	125 days jail.
1	Assault, third degree	.....	.....	50 days jail.
1	Assault, third degree	.....	.....	30 days jail.
Third quarter	.....	.....	.....

TABLE K — COUNTY OF MONTGOMERY — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	.....	Assault, third degree.....	25 days jail.
3		3	.....	Assault, third degree.....	20 days jail.
1		1	.....	Assault, third degree.....	10 days jail.
1		1	.....	Assault, third degree.....	5 days jail.
2		2	.....	Assault, third degree.....	Fined \$50.
4		4	.....	Assault, third degree.....	Fined \$25.
1		1	.....	Assault, third degree.....	Fined \$20.
2		2	.....	Assault, third degree.....	Fined \$10.
3		3	.....	Assault, third degree.....	Fined \$5.
1		1	.....	Assault, third degree.....	Probation.
6		6	1	Assault, third degree.....	Suspended.
3		3	.....	Intoxication.....	2 months penitentiary.
1		1	.....	Intoxication.....	1 15 days penitentiary.
1		1	.....	Intoxication.....	90 days jail.
2		2	.....	Intoxication.....	30 days jail and \$5.
1		1	.....	Intoxication.....	10 days jail and \$10.
1		1	.....	Intoxication.....	10 days jail.
6		6	.....	Intoxication.....	5 days jail.
4		4	.....	Intoxication.....	3 days jail.
1		1	.....	Intoxication.....	Fined \$10.
1		1	.....	Intoxication.....	Fined \$5.
.....		.....	1	Intoxication.....	Asylum.
10		10	.....	Intoxication.....	Suspended.
2		2	.....	Misdemeanor.....	6 months penitentiary.
1		1	.....	Misdemeanor.....	4 months penitentiary.
6		6	.....	Misdemeanor.....	3 months penitentiary.
1		1	.....	Misdemeanor.....	100 days penitentiary and \$10.
1		1	.....	Misdemeanor.....	30 days jail or \$30.
1		1	.....	Misdemeanor.....	30 days jail.
23		23	.....	Misdemeanor.....	10 days jail or \$10.
21		21	.....	Misdemeanor.....	10 days jail.
1		1	.....	Misdemeanor.....	8 days jail.
2		2	.....	Misdemeanor.....	5 days jail.
1		1	.....	Misdemeanor.....	2 days jail or \$20.
3		3	.....	Misdemeanor.....	2 days jail.

TABLE K — COUNTY OF NASSAU — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	First quarter .....	.....	2	Misdemeanor	90 days jail.
1		1	.....	Misdemeanor	65 days jail.
1		1	.....	Misdemeanor	60 days jail.
9		9	.....	Misdemeanor	30 days jail.
8		8	.....	Misdemeanor	20 days jail.
5		5	.....	Misdemeanor	15 days jail.
1		1	.....	Misdemeanor	10 days jail and \$20.
14		14	.....	Misdemeanor	10 days jail.
1		1	.....	Misdemeanor	5 days jail.
2		2	.....	Misdemeanor	Fined \$50.
2		2	.....	Misdemeanor	Fined \$40.
1		1	.....	Misdemeanor	Fined \$30.
22		22	.....	Misdemeanor	Fined \$25.
18		18	.....	Misdemeanor	Fined \$20.
24		24	.....	Misdemeanor	Fined \$15.
73		72	1	Misdemeanor	Fined \$10.
68		68	.....	Misdemeanor	Fined \$5.
10		10	.....	Misdemeanor	Fined \$2.
2		2	.....	Misdemeanor	Fined \$1.
1		1	.....	Misdemeanor	Bond required; not stated.
5		4	3	Misdemeanor	Asylum.
4		4	.....	Misdemeanor	State Industrial School.
175		164	11	Misdemeanor	Suspended.
1		1	.....	Petit larceny	2 months penitentiary.
1		1	.....	Petit larceny	150 days jail.
1		1	.....	Petit larceny	120 days jail.
1		1	.....	Petit larceny	90 days jail.
1		1	.....	Petit larceny	60 days jail.
2		1	1	Petit larceny	50 days jail or \$50.
1		1	.....	Petit larceny	50 days jail.
1		1	.....	Petit larceny	30 days jail.
1		1	.....	Petit larceny	Fined \$50.
1		1	.....	Petit larceny	Fined \$20.
1		1	.....	Petit larceny	Fined \$5.
1		1	.....	Petit larceny	Asylum.
1		1	.....	Petit larceny	Suspended.

2	2	2	2	4	1	Vagrancy	2 months penitentiary.
2	2	2	2	4	1	Vagrancy	90 days jail.
4	4	4	4	4	1	Vagrancy	30 days jail.
1	1	1	1	1	1	Vagrancy	Alms-house.
Total, 668; men, 639; women, 29.							
Second quarter							
1	1	1	1	1	1	Assault, third degree	5 months penitentiary.
1	1	1	1	1	1	Assault, third degree	4 months penitentiary.
1	1	1	1	1	1	Assault, third degree	3 months penitentiary.
1	1	1	1	1	1	Assault, third degree	29 days penitentiary and \$50.
1	1	1	1	1	1	Assault, third degree	50 days jail.
1	1	1	1	1	1	Assault, third degree	30 days jail.
1	1	1	1	1	1	Assault, third degree	20 days jail or \$20.
1	1	1	1	1	1	Assault, third degree	10 days jail or \$10.
1	1	1	1	1	1	Assault, third degree	10 days jail.
1	1	1	1	1	1	Assault, third degree	Fined \$25.
1	1	1	1	1	1	Assault, third degree	Fined \$15.
1	1	1	1	1	1	Assault, third degree	Fined \$10.
1	1	1	1	1	1	Assault, third degree	Suspended.
1	1	1	1	1	1	Intoxication	2 months penitentiary.
1	1	1	1	1	1	Intoxication	150 days jail.
1	1	1	1	1	1	Intoxication	90 days jail.
1	1	1	1	1	1	Intoxication	60 days jail.
1	1	1	1	1	1	Intoxication	30 days jail.
1	1	1	1	1	1	Intoxication	20 days jail.
1	1	1	1	1	1	Intoxication	15 days jail.
1	1	1	1	1	1	Intoxication	10 days jail.
1	1	1	1	1	1	Intoxication	5 days jail.
1	1	1	1	1	1	Intoxication	Fined \$10.
1	1	1	1	1	1	Intoxication	Fined \$5.
1	1	1	1	1	1	Intoxication	Fined \$3.
1	1	1	1	1	1	Intoxication	Fined \$2.
1	1	1	1	1	1	Intoxication	Asylum.
1	1	1	1	1	1	Intoxication	Suspended.
1	1	1	1	1	1	Misdemeanor	6 months penitentiary.
1	1	1	1	1	1	Misdemeanor	3 months penitentiary.
1	1	1	1	1	1	Misdemeanor	90 days jail.
1	1	1	1	1	1	Misdemeanor	60 days jail.
1	1	1	1	1	1	Misdemeanor	30 days jail.
1	1	1	1	1	1	Misdemeanor	20 days jail.
1	1	1	1	1	1	Misdemeanor	15 days jail or \$15.
1	1	1	1	1	1	Misdemeanor	15 days jail.
1	1	1	1	1	1	Misdemeanor	10 days jail or \$10.
1	1	1	1	1	1	Misdemeanor	10 days jail.
1	1	1	1	1	1	Misdemeanor	5 days jail or \$5.
1	1	1	1	1	1	Misdemeanor	Fined \$50.
1	1	1	1	1	1	Misdemeanor	Fined \$30.

	Second quarter		Vagrancy	Total, 668; men, 639; women, 29.		
2	2	.....	Vagrancy	.....	.....	2 months penitentiary.
2	2	.....	Vagrancy	.....	.....	90 days jail.
4	4	.....	Vagrancy	.....	.....	30 days jail.
1	1	.....	Vagrancy	.....	.....	Alms-house.
1	1	.....	Assault, third degree	.....	.....	5 months penitentiary.
1	1	.....	Assault, third degree	.....	.....	4 months penitentiary.
1	1	.....	Assault, third degree	.....	.....	3 months penitentiary.
2	2	.....	Assault, third degree	.....	.....	29 days penitentiary and \$50.
1	1	.....	Assault, third degree	.....	.....	50 days jail.
1	1	.....	Assault, third degree	.....	.....	30 days jail.
1	1	.....	Assault, third degree	.....	.....	20 days jail or \$20.
1	1	.....	Assault, third degree	.....	.....	10 days jail or \$10.
1	1	.....	Assault, third degree	.....	.....	10 days jail.
3	3	.....	Assault, third degree	.....	.....	Fined \$25.
2	2	.....	Assault, third degree	.....	.....	Fined \$15.
5	5	.....	Assault, third degree	.....	.....	Fined \$10.
7	7	.....	Assault, third degree	.....	.....	Suspended.
2	2	.....	Intoxication	.....	.....	2 months penitentiary.
1	1	.....	Intoxication	.....	.....	150 days jail.
2	2	.....	Intoxication	.....	.....	90 days jail.
3	3	.....	Intoxication	.....	.....	60 days jail.
5	5	.....	Intoxication	.....	.....	30 days jail.
3	3	.....	Intoxication	.....	.....	20 days jail.
8	8	.....	Intoxication	.....	.....	15 days jail.
1	1	.....	Intoxication	.....	.....	10 days jail.
1	1	.....	Intoxication	.....	.....	5 days jail.
4	4	.....	Intoxication	.....	.....	Fined \$10.
5	5	.....	Intoxication	.....	.....	Fined \$5.
4	4	.....	Intoxication	.....	.....	Fined \$3.
1	1	.....	Intoxication	.....	.....	Fined \$2.
1	1	.....	Intoxication	.....	.....	Asylum.
13	13	.....	Intoxication	.....	.....	Suspended.
1	1	.....	Misdemeanor	.....	.....	6 months penitentiary.
2	2	.....	Misdemeanor	.....	.....	3 months penitentiary.
2	2	.....	Misdemeanor	.....	.....	90 days jail.
3	3	.....	Misdemeanor	.....	.....	60 days jail.
1	1	.....	Misdemeanor	.....	.....	30 days jail.
1	1	.....	Misdemeanor	.....	.....	20 days jail.
1	1	.....	Misdemeanor	.....	.....	15 days jail or \$15.
1	1	.....	Misdemeanor	.....	.....	15 days jail.
1	1	.....	Misdemeanor	.....	.....	10 days jail or \$10.
3	3	.....	Misdemeanor	.....	.....	10 days jail.
1	1	.....	Misdemeanor	.....	.....	5 days jail or \$5.
1	1	.....	Misdemeanor	.....	.....	Fined \$50.
1	1	.....	Misdemeanor	.....	.....	Fined \$30.

TABLE K—COUNTY OF NASSAU—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
9	Second quarter	8	1	Misdemeanor	Fined \$25.
5		5	..	Misdemeanor	Fined \$20.
6		6	..	Misdemeanor	Fined \$15.
18		17	1	Misdemeanor	Fined \$10.
17		16	1	Misdemeanor	Fined \$5.
6		4	2	Misdemeanor	Asylum.
1		1	..	Misdemeanor	State Industrial School.
63		60	3	Misdemeanor	Suspended.
1		1	..	Petit larceny	150 days jail.
1		1	..	Petit larceny	90 days jail.
2		1	..	Petit larceny	60 days jail.
2		2	..	Petit larceny	30 days jail.
1		..	1	Petit larceny	25 days jail or \$25.
1		1	..	Petit larceny	Probation.
2		2	..	Petit larceny	State Industrial School.
4		4	..	Petit larceny	Suspended.
1		1	..	Vagrancy	90 days jail.
1		1	..	Vagrancy	60 days jail.
1		..	1	Vagrancy	Bedford reformatory.
Total, 246; men, 229; women, 17.					
1	Third quarter	1	..	Assault, third degree.	6 months penitentiary.
2		2	..	Assault, third degree.	3 months penitentiary.
1		1	..	Assault, third degree.	90 days jail or \$50.
1		1	..	Assault, third degree.	90 days jail.
2		2	..	Assault, third degree.	60 days jail.
3		3	..	Assault, third degree.	30 days jail.
1		1	..	Assault, third degree.	25 days jail.
2		2	..	Assault, third degree.	10 days jail.
2		2	..	Assault, third degree.	5 days jail or \$5.
1		1	..	Assault, third degree.	5 days jail.
2		2	..	Assault, third degree.	Fined \$25.
1		1	..	Assault, third degree.	Fined \$20.
1		1	..	Assault, third degree.	Fined \$15.
1		..	1	Assault, third degree.	Fined \$10.
1		..	..	Assault, third degree.	

TABLE K—COUNTY OF NASSAU—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
9	Second quarter	8	1	Misdemeanor	Fined \$25.
5		5		Misdemeanor	Fined \$20.
6		6		Misdemeanor	Fined \$15.
18		17	1	Misdemeanor	Fined \$10.
17		16	1	Misdemeanor	Fined \$5.
6		4	2	Misdemeanor	Asylum.
1		1		Misdemeanor	State Industrial School.
63		60	3	Misdemeanor	Suspended.
1		1		Petit larceny	150 days jail.
1		1		Petit larceny	90 days jail.
2		2		Petit larceny	60 days jail.
2		2		Petit larceny	30 days jail.
1			1	Petit larceny	25 days jail or \$25.
1		1		Petit larceny	Probation.
2		2		Petit larceny	State Industrial School.
4		4		Petit larceny	Suspended.
1		1		Vagrancy	90 days jail.
1		1		Vagrancy	60 days jail.
1			1	Vagrancy	Bedford reformatory.
		Total, 246; men, 229; women, 17.			
1	Third quarter	1		Assault, third degree	6 months penitentiary.
2		2		Assault, third degree	3 months penitentiary.
1		1		Assault, third degree	90 days jail or \$50.
1		1		Assault, third degree	90 days jail.
2		2		Assault, third degree	60 days jail.
3		3		Assault, third degree	30 days jail.
1		1		Assault, third degree	25 days jail.
2		2		Assault, third degree	10 days jail.
2		2		Assault, third degree	5 days jail or \$5.
1		1		Assault, third degree	5 days jail.
2		2		Assault, third degree	Fined \$25.
1		1		Assault, third degree	Fined \$20.
1		1		Assault, third degree	Fined \$15.
1			1	Assault, third degree	Fined \$10.

TABLE K — COUNTY OF NASSAU — (Continued)

Number of convictions	WHEN CONVICTED	SEX		OFFENSE	SENTENCE
		Males	Females		
4	Third quarter	3	1	Petit larceny	Suspended.
1		1		Vagrancy	Alms-house.
1		1		Vagrancy	Suspended.
Total, 556; men, 528; women, 28.					
2	Fourth quarter	2		Assault, third degree	6 months penitentiary.
1		1		Assault, third degree	5 months penitentiary and 29 days.
1		1		Assault, third degree	60 days jail.
5		5		Assault, third degree	30 days jail.
6		6		Assault, third degree	20 days jail.
2		2		Assault, third degree	10 days jail.
2		2		Assault, third degree	Fined \$50.
2		2	1	Assault, third degree	Fined \$25.
3		1		Assault, third degree	Fined \$15.
7		7		Assault, third degree	Fined \$10.
3		3		Assault, third degree	Fined \$5.
14		11	3	Assault, third degree	Suspended.
1		1		Intoxication	120 days jail.
2			2	Intoxication	90 days jail.
4		3	1	Intoxication	60 days jail.
1		1		Intoxication	30 days jail and \$10.
3		2	1	Intoxication	30 days jail.
4		4		Intoxication	20 days jail.
3		3		Intoxication	15 days jail.
11		11		Intoxication	10 days jail.
4		4		Intoxication	5 days jail.
13		11	2	Intoxication	Fined \$10.
13		13		Intoxication	Fined \$5.
1		1		Intoxication	Asylum.
13		13		Intoxication	Suspended.
1		1		Misdemeanor	6 months penitentiary.
1		1		Misdemeanor	180 days jail.
1		1		Misdemeanor	90 days jail.
1		1		Misdemeanor	60 days jail.
2		2		Misdemeanor	30 days jail.

TABLE K — COUNTY OF NEW YORK — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	First quarter	1	.....	Assault, third degree.....	10 days jail or \$50.
2		1	1	Assault, third degree.....	10 days jail or \$25.
1		1	.....	Assault, third degree.....	10 days jail.
9		9	.....	Assault, third degree.....	5 days jail or \$25.
1		1	.....	Assault, third degree.....	2 days jail or \$10.
4		4	.....	Assault, third degree.....	Not stated.
3		3	.....	Assault, third degree.....	Probation.
4		4	.....	Assault, third degree.....	Suspended.
99		97	2	Misdemeanor	Penitentiary.
20		18	2	Misdemeanor	180 days jail.
18		16	2	Misdemeanor	120 days jail.
50		48	2	Misdemeanor	90 days jail.
1		1	.....	Misdemeanor	60 days jail or \$250.
17		16	1	Misdemeanor	60 days jail.
1		1	.....	Misdemeanor	30 days jail and \$250.
2		2	.....	Misdemeanor	30 days jail or \$500.
7		6	1	Misdemeanor	30 days jail or \$100.
3		3	.....	Misdemeanor	30 days jail or \$50.
33		29	4	Misdemeanor	30 days jail.
2		2	.....	Misdemeanor	20 days jail or \$200.
1		1	.....	Misdemeanor	20 days jail or \$100.
2		2	.....	Misdemeanor	20 days jail or \$75.
2		2	.....	Misdemeanor	20 days jail or \$50.
6		6	.....	Misdemeanor	20 days jail.
1		1	.....	Misdemeanor	15 days jail or \$100.
1		1	.....	Misdemeanor	15 days jail or \$75.
6		6	.....	Misdemeanor	15 days jail or \$50.
5		5	.....	Misdemeanor	15 days jail.
1		1	.....	Misdemeanor	10 days jail or \$100.
1		1	.....	Misdemeanor	10 days jail or \$75.
1		1	.....	Misdemeanor	10 days jail or \$50.
25		24	1	Misdemeanor	10 days jail or \$35.
1		1	.....	Misdemeanor	10 days jail or \$25.
16		15	1	Misdemeanor	10 days jail.
104		99	5	Misdemeanor	10 days jail or \$25.

2	Misdemeanor	.....	5 days jail or \$15.
1	Misdemeanor	.....	5 days jail or \$10.
6	Misdemeanor	.....	5 days jail.
1	Misdemeanor	.....	3 days jail or \$15.
8	Misdemeanor	.....	2 days jail or \$10.
1	Misdemeanor	.....	Fined \$500.
1	Misdemeanor	.....	Fined \$100.
1	Misdemeanor	.....	Fined \$50.
3	Misdemeanor	.....	Fined \$25.
3	Misdemeanor	.....	Fined \$20.
1	Misdemeanor	.....	Fined \$10.
23	Misdemeanor	.....	Asylum.
6	Misdemeanor	.....	New York City reformatory.
39	Misdemeanor	.....	Not stated.
70	Misdemeanor	.....	Probation.
132	Misdemeanor	.....	Suspended.
63	Petit larceny	.....	Penitentiary.
11	Petit larceny	.....	180 days jail.
8	Petit larceny	.....	120 days jail.
25	Petit larceny	.....	90 days jail.
18	Petit larceny	.....	60 days jail.
1	Petit larceny	.....	30 days jail or \$100.
7	Petit larceny	.....	30 days jail.
42	Petit larceny	.....	20 days jail or \$50.
6	Petit larceny	.....	20 days jail.
18	Petit larceny	.....	15 days jail or \$50.
2	Petit larceny	.....	15 days jail.
3	Petit larceny	.....	10 days jail or \$50.
4	Petit larceny	.....	10 days jail or \$25.
12	Petit larceny	.....	10 days jail.
17	Petit larceny	.....	5 days jail or \$25.
25	Petit larceny	.....	5 days jail.
2	Petit larceny	.....	3 days jail or \$25.
1	Petit larceny	.....	2 days jail or \$10.
1	Petit larceny	.....	Asylum.
4	Petit larceny	.....	Bedford reformatory.
12	Petit larceny	.....	New York City reformatory.
33	Petit larceny	.....	Not stated.
85	Petit larceny	.....	Probation.
76	Petit larceny	.....	Suspended.
1	Violation Liquor Tax Law	.....	60 days jail and \$200.
7	Violation Liquor Tax Law	.....	30 days jail and \$300.
1	Violation Liquor Tax Law	.....	30 days jail or \$50.
74	Violation Liquor Tax Law	.....	2 days jail or \$10.
2	Violation Liquor Tax Law	.....	Not stated.
27	Violation Liquor Tax Law	.....	Suspended.
Total, 1,418; men, 1,271; women, 147.			

TABLE K — COUNTY OF NEW YORK — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
5	Second quarter	5	.....	Assault, third degree.....	Penitentiary.
1		1	.....	Assault, third degree.....	90 days jail.
2		2	.....	Assault, third degree.....	60 days jail.
1		1	.....	Assault, third degree.....	30 days jail or \$100.
5		5	.....	Assault, third degree.....	30 days jail.
1		1	.....	Assault, third degree.....	20 days jail or \$100.
1		1	.....	Assault, third degree.....	20 days jail.
2		2	.....	Assault, third degree.....	10 days jail or \$50.
1		1	.....	Assault, third degree.....	10 days jail.
1		1	.....	Assault, third degree.....	Fined \$100.
1		1	.....	Assault, third degree.....	Fined \$50.
7		7	.....	Assault, third degree.....	Fined \$25.
1		1	.....	Assault, third degree.....	Fined \$20.
1		1	.....	Assault, third degree.....	Fined \$15.
1		1	.....	Assault, third degree.....	New York City reformatory.
3		3	.....	Assault, third degree.....	Not stated.
11		10	.....	Assault, third degree.....	Probation.
108		104	1	Assault, third degree.....	Suspended.
8		7	1	Misdemeanor	Penitentiary.
6		6	.....	Misdemeanor	180 days jail.
17		16	1	Misdemeanor	120 days jail.
1		1	.....	Misdemeanor	90 days jail.
1		1	.....	Misdemeanor	85 days jail.
1		1	.....	Misdemeanor	60 days jail and \$100.
1		1	.....	Misdemeanor	60 days jail or \$500.
1		1	.....	Misdemeanor	60 days jail or \$200.
16		16	.....	Misdemeanor	60 days jail.
1		1	.....	Misdemeanor	30 days jail or \$250.
1		1	.....	Misdemeanor	30 days jail or \$100.
1		1	.....	Misdemeanor	30 days jail or \$50.
27		26	1	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	25 days jail or \$100.
1		1	.....	Misdemeanor	20 days jail.
5		5	.....	Misdemeanor	15 days jail.
1		1	.....	Misdemeanor	10 days jail or \$25.

13	Misdemeanor	.....	10 days jail.
16	Misdemeanor	.....	5 days jail or \$25.
1	Misdemeanor	.....	5 days jail.
3	Misdemeanor	.....	Fined \$250.
2	Misdemeanor	.....	Fined \$150.
7	Misdemeanor	.....	Fined \$100.
1	Misdemeanor	.....	Fined \$75.
36	Misdemeanor	.....	Fined \$50.
59	Misdemeanor	.....	Fined \$25.
4	Misdemeanor	.....	Fined \$20.
2	Misdemeanor	.....	Fined \$15.
8	Misdemeanor	.....	Fined \$10.
1	Misdemeanor	.....	Fined \$5.
50	Misdemeanor	.....	Asylum.
1	Misdemeanor	.....	Bedford reformatory.
6	Misdemeanor	.....	New York City reformatory.
20	Misdemeanor	.....	Not stated.
84	Misdemeanor	.....	Probation.
129	Misdemeanor	.....	Suspended.
67	Misdemeanor	.....	Penitentiary.
3	Petit larceny	.....	120 days jail.
17	Petit larceny	.....	90 days jail.
16	Petit larceny	.....	60 days jail.
37	Petit larceny	.....	30 days jail.
13	Petit larceny	.....	20 days jail.
13	Petit larceny	.....	15 days jail.
1	Petit larceny	.....	10 days jail or \$100.
2	Petit larceny	.....	10 days jail or \$50.
5	Petit larceny	.....	10 days jail or \$25.
49	Petit larceny	.....	10 days jail.
6	Petit larceny	.....	5 days jail or \$25.
5	Petit larceny	.....	5 days jail.
.....	Petit larceny	.....	Fined \$100.
.....	Petit larceny	.....	Fined \$75.
.....	Petit larceny	.....	Fined \$50.
.....	Petit larceny	.....	Fined \$25.
10	Petit larceny	.....	Asylum.
31	Petit larceny	.....	New York City reformatory.
12	Petit larceny	.....	Not stated.
21	Petit larceny	.....	Probation.
36	Petit larceny	.....	Suspended.
119	Violation Liquor Tax Law	.....	30 days jail and \$200.
102	Violation Liquor Tax Law	.....	2 days jail or \$10.
8	Violation Liquor Tax Law	.....	Not stated.
47	Violation Liquor Tax Law	.....	Suspended.
2	Violation Liquor Tax Law	.....
30	Violation Liquor Tax Law	.....

Total, 1,350; men, 1,196; women, 154.

TABLE K — COUNTY OF NEW YORK — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	.....	Assault, third degree.....	Penitentiary.
1		1	.....	Assault, third degree.....	120 days jail.
4		4	.....	Assault, third degree.....	60 days jail.
2		2	.....	Assault, third degree.....	30 days jail or \$50.
1		1	.....	Assault, third degree.....	30 days jail.
3		3	.....	Assault, third degree.....	15 days jail.
1		.....	1	Assault, third degree.....	10 days jail or \$50.
2		2	.....	Assault, third degree.....	10 days jail or \$25.
1		1	.....	Assault, third degree.....	10 days jail.
7		6	.....	Assault, third degree.....	5 days jail or \$25.
4		4	.....	Assault, third degree.....	2 days jail or \$10.
1		1	.....	Assault, third degree.....	Not stated.
2		2	.....	Assault, third degree.....	Probation.
12		11	1	Assault, third degree.....	Suspended.
22		115	7	Assault, third degree.....	New York penitentiary.
8		7	1	Misdemeanor	180 days jail.
3		3	.....	Misdemeanor	120 days jail.
1		1	.....	Misdemeanor	90 days jail or \$500.
24		22	2	Misdemeanor	90 days jail.
1		1	.....	Misdemeanor	60 days jail or \$300.
1		1	.....	Misdemeanor	60 days jail or \$200.
13		13	.....	Misdemeanor	60 days jail.
2		2	.....	Misdemeanor	30 days jail or \$250.
4		2	.....	Misdemeanor	30 days jail or \$100.
1		1	.....	Misdemeanor	30 days jail or \$75.
1		1	.....	Misdemeanor	30 days jail or \$50.
26		25	1	Misdemeanor	30 days jail.
2		2	.....	Misdemeanor	20 days jail or \$50.
5		5	.....	Misdemeanor	20 days jail.
1		1	.....	Misdemeanor	15 days jail or \$50.
2		2	.....	Misdemeanor	15 days jail.
14		14	.....	Misdemeanor	10 days jail or \$50.
10		10	.....	Misdemeanor	10 days jail or \$25.
10		9	1	Misdemeanor	10 days jail.
21		76	5	Misdemeanor	5 days jail or \$25.

1	1	Misdemeanor	.....	5 days jail or \$20.
1	1	Misdemeanor	.....	5 days jail.
2	1	Misdemeanor	.....	4 days jail or \$20.
1	1	Misdemeanor	.....	3 days jail or \$15.
9	8	Misdemeanor	.....	2 days jail or \$10.
1	1	Misdemeanor	.....	Fined \$250.
1	1	Misdemeanor	.....	Fined \$100.
1	1	Misdemeanor	.....	Fined \$75.
4	4	Misdemeanor	.....	Fined \$50.
1	1	Misdemeanor	.....	Fined \$25.
52	43	Misdemeanor	.....	Asylum.
7	7	Misdemeanor	.....	New York City reformatory.
3	3	Misdemeanor	.....	Not stated.
60	52	Misdemeanor	.....	Probation.
1	1	Misdemeanor	.....	Suspended; probation.
161	141	Misdemeanor	.....	Suspended.
68	63	Misdemeanor	.....	New York penitentiary.
4	4	Petit larceny	.....	180 days jail.
1	1	Petit larceny	.....	120 days jail.
25	25	Petit larceny	.....	90 days jail.
21	18	Petit larceny	.....	60 days jail.
1	1	Petit larceny	.....	40 days jail.
1	1	Petit larceny	.....	30 days jail.
57	53	Petit larceny	.....	30 days jail or \$100.
2	1	Petit larceny	.....	30 days jail.
23	17	Petit larceny	.....	20 days jail or \$50.
10	10	Petit larceny	.....	20 days jail.
7	3	Petit larceny	.....	15 days jail.
12	7	Petit larceny	.....	10 days jail or \$50.
41	41	Petit larceny	.....	10 days jail or \$25.
34	23	Petit larceny	.....	10 days jail.
16	14	Petit larceny	.....	5 days jail or \$25.
1	1	Petit larceny	.....	3 days jail or \$15.
3	3	Petit larceny	.....	2 days jail or \$10.
9	5	Petit larceny	.....	Asylum.
20	20	Petit larceny	.....	New York City reformatory.
2	2	Petit larceny	.....	Not stated.
100	85	Petit larceny	.....	Probation.
93	78	Petit larceny	.....	Suspended.
12	11	Violation Liquor Tax Law.	.....	30 days jail and \$200.
68	64	Violation Liquor Tax Law.	.....	2 days jail or \$10.
25	17	Violation Liquor Tax Law.	.....	Suspended.
Total. 1,336; men, 1,191; women, 145.				
2	1	Fourth quarter	.....
1	1	Assault, third degree.	.....	Penitentiary.
2	1	Assault, third degree.	.....	90 days jail.
2	2	Assault, third degree.	.....	60 days jail.

1	1	Misdemeanor	1	.....	.....	5 days jail or \$20.
1	1	Misdemeanor	1	.....	.....	5 days jail.
1	2	Misdemeanor	2	.....	.....	4 days jail or \$20.
1	1	Misdemeanor	1	.....	.....	3 days jail or \$15.
1	8	Misdemeanor	1	.....	.....	2 days jail or \$10.
1	1	Misdemeanor	.....	.....	.....	Fined \$250.
1	1	Misdemeanor	.....	.....	.....	Fined \$100.
1	1	Misdemeanor	.....	.....	.....	Fined \$75.
1	4	Misdemeanor	.....	.....	.....	Fined \$50.
1	1	Misdemeanor	.....	.....	.....	Fined \$25.
1	43	Misdemeanor	9	.....	.....	Asylum.
1	7	Misdemeanor	.....	.....	.....	New York City reformatory.
1	3	Misdemeanor	.....	.....	.....	Not stated.
1	52	Misdemeanor	8	.....	.....	Probation.
1	1	Misdemeanor	.....	.....	.....	Suspended; probation.
1	141	Misdemeanor	20	.....	.....	Suspended.
1	63	Misdemeanor	5	.....	.....	New York penitentiary.
1	4	Petit larceny	.....	.....	.....	180 days jail.
1	.....	Petit larceny	1	.....	.....	120 days jail.
1	25	Petit larceny	3	.....	.....	90 days jail.
1	18	Petit larceny	.....	.....	.....	60 days jail.
1	1	Petit larceny	.....	.....	.....	40 days jail.
1	1	Petit larceny	.....	.....	.....	30 days jail or \$100.
1	33	Petit larceny	4	.....	.....	30 days jail.
1	1	Petit larceny	1	.....	.....	20 days jail or \$50.
1	17	Petit larceny	6	.....	.....	20 days jail.
1	10	Petit larceny	.....	.....	.....	15 days jail.
1	3	Petit larceny	4	.....	.....	10 days jail or \$50.
1	7	Petit larceny	5	.....	.....	10 days jail or \$25.
1	41	Petit larceny	11	.....	.....	10 days jail.
1	23	Petit larceny	2	.....	.....	5 days jail or \$25.
1	11	Petit larceny	.....	.....	.....	5 days jail.
1	1	Petit larceny	.....	.....	.....	3 days jail or \$15.
1	3	Petit larceny	.....	.....	.....	2 days jail or \$10.
1	3	Petit larceny	4	.....	.....	Asylum.
1	20	Petit larceny	.....	.....	.....	New York City reformatory.
1	2	Petit larceny	.....	.....	.....	Not stated.
1	25	Petit larceny	15	.....	.....	Probation.
1	78	Petit larceny	15	.....	.....	Suspended.
1	11	Violation Liquor Tax Law	1	.....	.....	30 days jail and \$200.
1	68	Violation Liquor Tax Law	.....	.....	.....	2 days jail or \$10.
1	17	Violation Liquor Tax Law	8	.....	.....	Suspended.
Total. 1,336; men, 1,191; women, 145.						
2	1	Fourth quarter	1	Assault, third degree	.....	Penitentiary.
1	1	.....	.....	Assault, third degree	.....	90 days jail.
1	2	.....	.....	Assault, third degree	.....	60 days jail

TABLE K — COUNTY OF NEW YORK — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Fourth quarter	1	.....	Assault, third degree.....	25 days jail.
1		1	.....	Assault, third degree.....	20 days jail or \$50.
1		1	.....	Assault, third degree.....	20 days jail.
3		3	.....	Assault, third degree.....	10 days jail or \$50.
4		4	.....	Assault, third degree.....	10 days jail or \$25.
2		2	.....	Assault, third degree.....	10 days jail.
3		3	.....	Assault, third degree.....	5 days jail or \$25.
1		1	.....	Assault, third degree.....	5 days jail or \$20.
.....		.....	1	Assault, third degree.....	2 days jail or \$10.
.....		.....	1	Assault, third degree.....	Not stated.
.....		.....	1	Assault, third degree.....	Suspended.
5		45	4	Assault, third degree.....	Penitentiary.
9		3	.....	Misdemeanor.....	180 days jail.
5		5	.....	Misdemeanor.....	120 days jail.
1		1	1	Misdemeanor.....	90 days jail.
7		7	.....	Misdemeanor.....	60 days jail.
.....		.....	1	Misdemeanor.....	30 days jail or \$250.
1		1	.....	Misdemeanor.....	30 days jail or \$150.
2		20	2	Misdemeanor.....	30 days jail or \$100.
2		2	.....	Misdemeanor.....	30 days jail.
2		1	.....	Misdemeanor.....	20 days jail or \$100.
1		1	.....	Misdemeanor.....	20 days jail or \$75.
1		3	.....	Misdemeanor.....	20 days jail or \$50.
1		1	.....	Misdemeanor.....	20 days jail.
1		1	.....	Misdemeanor.....	15 days jail or \$75.
1		1	.....	Misdemeanor.....	15 days jail.
16		14	2	Misdemeanor.....	10 days jail or \$50.
1		1	.....	Misdemeanor.....	10 days jail or \$40.
10		10	.....	Misdemeanor.....	10 days jail or \$25.
6		6	.....	Misdemeanor.....	10 days jail.
1		1	.....	Misdemeanor.....	5 days jail or \$50.
4		42	2	Misdemeanor.....	5 days jail or \$25.
1		1	.....	Misdemeanor.....	5 days jail or \$10.
1		1	.....	Misdemeanor.....	5 days jail.
2		2	.....	Misdemeanor.....	3 days jail or \$15.
2		7	1	Misdemeanor.....	2 days jail or \$10.

1	1	Misdemeanor	.....	2 days jail or \$5.
1	1	Misdemeanor	.....	Fined \$250.
1	1	Misdemeanor	.....	Fined \$100.
1	1	Misdemeanor	.....	Fined \$25.
85	04	Misdemeanor	.....21	Asylum.
9	9	Misdemeanor	.....4	New York City reformatory.
38	34	Misdemeanor	.....1	Not stated.
46	45	Misdemeanor	.....10	Probation.
110	100	Misdemeanor	.....1	Suspended.
52	51	Petit larceny	.....	Penitentiary.
1	1	Petit larceny	.....	180 days jail.
14	14	Petit larceny	.....	90 days jail.
17	15	Petit larceny	.....2	60 days jail.
38	36	Petit larceny	.....2	30 days jail.
2	1	Petit larceny	.....1	20 days jail or \$50.
12	12	Petit larceny	.....	20 days jail.
1	1	Petit larceny	.....	15 days jail or \$50.
4	4	Petit larceny	.....	15 days jail.
1	1	Petit larceny	.....1	12 days jail or \$50.
12	7	Petit larceny	.....5	10 days jail or \$50.
9	5	Petit larceny	.....4	10 days jail or \$25.
28	28	Petit larceny	.....	10 days jail.
41	30	Petit larceny	.....11	5 days jail or \$25.
13	12	Petit larceny	.....1	5 days jail.
3	3	Petit larceny	.....	2 days jail or \$10.
19	13	Petit larceny	.....6	Asylum.
2	2	Petit larceny	.....	Bedford reformatory.
16	16	Petit larceny	.....	New York City reformatory.
48	40	Petit larceny	.....8	Not stated.
125	108	Petit larceny	.....17	Probation.
83	68	Petit larceny	.....15	Suspended.
7	7	Violation Liquor Tax Law	.....	30 days jail and \$200.
1	1	Violation Liquor Tax Law	.....	30 days jail or \$50.
5	5	Violation Liquor Tax Law	.....	10 days jail or \$50.
1	1	Violation Liquor Tax Law	.....	10 days jail or \$25.
6	6	Violation Liquor Tax Law	.....	5 days jail or \$25.
112	112	Violation Liquor Tax Law	.....2	2 days jail or \$10.
3	3	Violation Liquor Tax Law	.....	Not stated.
44	38	Violation Liquor Tax Law	.....6	Suspended.
			Total, 1,253; men, 1,105; women, 148.	

COUNTY OF NIAGARA

1	1	Assault, third degree	.....	3 months penitentiary.
1	1	Assault, third degree	.....	2 months penitentiary.
2	2	Assault, third degree	.....	180 days jail.
1	1	Assault, third degree	.....	90 days jail.

TABLE K — COUNTY OF NIAGARA — (Continued)

Number of convictions	When Convicted	Males	Females	Offense	Sentence
1	First quarter	1	..	Assault, third degree.	60 days jail.
1		2	..	Assault, third degree.	50 days jail or \$50.
1		1	..	Assault, third degree.	35 days jail or \$35.
1		1	..	Assault, third degree.	30 days jail or \$30.
3		3	..	Assault, third degree.	15 days jail or \$15.
1		1	..	Assault, third degree.	Fined \$25.
1		1	..	Assault, third degree.	Fined \$2.
1		1	..	Assault, third degree.	Probation.
1		1	..	Assault, third degree.	Suspended.
4		4	..	Intoxication	6 months penitentiary.
1		1	..	Intoxication	3 months penitentiary.
2		2	..	Intoxication	2 months penitentiary.
12		12	..	Intoxication	1 month penitentiary.
4		4	..	Intoxication	Penitentiary; not stated.
1		1	..	Intoxication	180 days jail and \$5.
2		2	..	Intoxication	180 days jail.
2		2	..	Intoxication	120 days jail and \$5.
2		2	..	Intoxication	120 days jail and \$3.
2		2	..	Intoxication	120 days jail.
1		1	..	Intoxication	90 days jail and \$10.
4		4	..	Intoxication	90 days jail and \$5.
8		8	..	Intoxication	90 days jail.
2		2	..	Intoxication	60 days jail and \$10.
1		1	..	Intoxication	60 days jail and \$5.
3		3	..	Intoxication	60 days jail or \$5.
6		6	..	Intoxication	60 days jail.
5		5	..	Intoxication	30 days jail and \$5.
3		3	..	Intoxication	30 days jail and \$3.
12		12	..	Intoxication	30 days jail or \$5.
19		19	..	Intoxication	30 days jail.
1		1	..	Intoxication	20 days jail and \$5.
12		12	..	Intoxication	20 days jail or \$5.
1		1	..	Intoxication	20 days jail.
1		1	..	Intoxication	15 days jail and \$5.
4		4	..	Intoxication	15 days jail or \$5.

12	Intoxication	.....	15 days jail or \$3.
14	Intoxication	.....	15 days jail.
6	Intoxication	.....	10 days jail and \$5.
12	Intoxication	.....	10 days jail and \$3.
4	Intoxication	.....	10 days jail or \$10.
6	Intoxication	.....	10 days jail or \$5.
3	Intoxication	.....	10 days jail or \$3.
2	Intoxication	.....	10 days jail.
7	Intoxication	.....	7 days jail or \$7.
2	Intoxication	.....	5 days jail and \$5.
7	Intoxication	.....	5 days jail or \$5.
1	Intoxication	.....	5 days jail.
1	Intoxication	.....	4 days jail and \$4.
1	Intoxication	.....	4 days jail or \$4.
1	Intoxication	.....	3 days jail or \$5.
6	Intoxication	.....	3 days jail or \$3.
3	Intoxication	.....	2 days jail or \$2.
4	Intoxication	.....	Fined \$10.
7	Intoxication	.....	Fined \$5.
2	Intoxication	.....	Fined ; not stated.
1	Intoxication	.....	Probation.
31	Intoxication	.....	Suspended.
1	Misdemeanor	.....	3 months penitentiary.
6	Misdemeanor	.....	1 month penitentiary.
1	Misdemeanor	.....	180 days jail.
1	Misdemeanor	.....	90 days jail.
3	Misdemeanor	.....	60 days jail.
4	Misdemeanor	.....	50 days jail or \$50.
1	Misdemeanor	.....	45 days jail.
	Misdemeanor	.....	30 days jail.
2	Misdemeanor	.....	25 days jail or \$25.
1	Misdemeanor	.....	20 days jail or \$20.
1	Misdemeanor	.....	20 days jail.
	Misdemeanor	.....	15 days jail.
1	Misdemeanor	.....	10 days jail or \$10.
	Misdemeanor	.....	5 days jail or \$5.
2	Misdemeanor	.....	3 days jail or \$3.
1	Misdemeanor	.....	2 days jail or \$2.
	Misdemeanor	.....	Fined \$25.
	Misdemeanor	.....	Fined \$10.
4	Misdemeanor	.....	Fined \$5.
3	Misdemeanor	.....	Fined \$4.
1	Misdemeanor	.....	Fined \$2.
14	Misdemeanor	.....	Fined \$1.
1	Misdemeanor	.....	Fined ; not stated.
2	Misdemeanor	.....	Alms-house.
	Misdemeanor	.....	Asylum.
	Misdemeanor	.....

TABLE K — COUNTY OF NIAGARA — (Continued)

Number of convictions	When Convicted	Males	Females	Offense	Sentence
Second quarter					
1		1		M. larceny	6
2		2		M. larceny	2
2		2		M. larceny	1
1		1		M. larceny	180 days jail
1		1		M. larceny	120 days jail
4		4		M. larceny	60 days jail
4		4		M. larceny	30 days jail or \$50.
1		1		M. larceny	40 days jail or \$40.
4		4		M. larceny	30 days jail
6		6		M. larceny	15 days jail
4		4		M. larceny	10 days jail or \$10
7		7		M. larceny	10 days jail or \$5.
9		9		M. larceny	10 days jail or \$3.
3		3		M. larceny	10 days jail
4		4		M. larceny	5 days jail or \$5.
1		1		M. larceny	2 days jail or \$2.
1		1		M. larceny	1 day jail or \$1.
1		1		M. larceny	Fined \$25.
1		1		M. larceny	Fined \$5.
1		1		M. larceny	Adjudged a disorderly person.
1		1		M. larceny	Asylum.
1		1		M. larceny	Not stated.
1		1		M. larceny	Probation.
1		1		M. larceny	State Industrial School
1		1		M. larceny	Suspended; probation.
1		1		M. larceny	Suspended.
1		1		M. larceny	6 months penitentiary.
1		1		M. larceny	4 months penitentiary.
1		1		M. larceny	2 months penitentiary.
1		1		M. larceny	1 month penitentiary.
1		1		M. larceny	45 days penitentiary
1		1		M. larceny	15 days penitentiary
1		1		M. larceny	90 days jail or \$10.
1		1		M. larceny	60 days jail or \$50.

1	1	Petit larceny	25 days jail or \$25.
2	1	Petit larceny	3 days jail or \$3.
1	1	Petit larceny	Suspended; probation.
1	1	Petit larceny	Suspended.
2	2	Vagrancy	2 months penitentiary.
9	9	Vagrancy	1 month penitentiary.
1	1	Vagrancy	20 days jail.
4	4	Vagrancy	Suspended.

Total, 393; men, 375; women, 18.

2	2	Assault, third degree.	Assault, third degree.
2	2	Assault, third degree.	Assault, third degree.
2	2	Assault, third degree.	Assault, third degree.
3	3	Assault, third degree.	Assault, third degree.
1	1	Assault, third degree.	Assault, third degree.
1	1	Assault, third degree.	Assault, third degree.
4	4	Assault, third degree.	Assault, third degree.
1	1	Assault, third degree.	Assault, third degree.
3	3	Assault, third degree.	Assault, third degree.
1	1	Assault, third degree.	Assault, third degree.
5	5	Assault, third degree.	Assault, third degree.
3	3	Assault, third degree.	Assault, third degree.
1	1	Assault, third degree.	Assault, third degree.
2	2	Assault, third degree.	Assault, third degree.
4	4	Assault, third degree.	Assault, third degree.
1	1	Assault, third degree.	Assault, third degree.
1	1	Assault, third degree.	Assault, third degree.
10	10	Intoxication	Intoxication
16	16	Intoxication	Intoxication
1	1	Intoxication	Intoxication
3	3	Intoxication	Intoxication
1	1	Intoxication	Intoxication
1	1	Intoxication	Intoxication
11	11	Intoxication	Intoxication
4	4	Intoxication	Intoxication
11	11	Intoxication	Intoxication
2	2	Intoxication	Intoxication
3	3	Intoxication	Intoxication
2	2	Intoxication	Intoxication
55	55	Intoxication	Intoxication
2	2	Intoxication	Intoxication
6	6	Intoxication	Intoxication
6	6	Intoxication	Intoxication
1	1	Intoxication	Intoxication
30	30	Intoxication	Intoxication
1	1	Intoxication	Intoxication

TABLE K — COUNTY OF NIAGARA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	Third quarter	2	.....	Intoxication	20 days jail.
8		8	.....	Intoxication	15 days jail or \$5.
1		1	.....	Intoxication	15 days jail or \$3.
12		11	1	Intoxication	15 days jail.
15		15	.....	Intoxication	10 days jail or \$10.
14		14	.....	Intoxication	10 days jail or \$5.
45		43	2	Intoxication	10 days jail or \$3.
9		9	.....	Intoxication	10 days jail.
1		1	.....	Intoxication	8 days jail or \$3.
4		4	.....	Intoxication	7 days jail or \$7.
5		3	.....	Intoxication	6 days jail or \$6.
73		73	.....	Intoxication	5 days jail or \$5.
1		1	.....	Intoxication	5 days jail or \$4.
1		1	.....	Intoxication	5 days jail or \$3.
1		1	.....	Intoxication	5 days jail.
1		1	.....	Intoxication	4 days jail or \$4.
18		18	.....	Intoxication	3 days jail or \$3.
1		1	.....	Intoxication	3 days jail.
3		3	.....	Intoxication	2 days jail or \$2.
2		2	.....	Intoxication	Jail ; not stated.
1		1	.....	Intoxication	Fined \$25.
5		5	.....	Intoxication	Fined \$10.
8		8	.....	Intoxication	Fined \$5.
2		2	.....	Intoxication	Fined \$3.
1		1	.....	Intoxication	Fined \$1.
1		1	.....	Intoxication	Fined 50 cents.
6		6	.....	Intoxication	Fined ; not stated.
1		1	.....	Intoxication	Deported.
1		1	.....	Intoxication	Not stated.
6		6	.....	Intoxication	Suspended ; probation.
3		3	.....	Intoxication	Suspended.
40		37	3	Intoxication	6 months penitentiary.
2		2	.....	Misdemeanor	4 months penitentiary.
1		1	.....	Misdemeanor	3 months penitentiary.
1		1	.....	Misdemeanor	1 month penitentiary.
13		3	.....	Misdemeanor	

[illegible]

TABLE K — COUNTY OF NIAGARA — (Continued)

Number of Convictions	When Convicted	Males	Females	Offense	Sentence
1	Third quarter	1		Vagrancy	
18		18		Vagrancy	
1		1		Vagrancy	
1		2		Vagrancy	
1		1		Vagrancy	
1		1		Vagrancy	
				Vagrancy	
Total, 775; men, 737; women, 38.					
3	Fourth quarter	3		Assault, third degree	
1		1		Assault, third degree	
1		1		Assault, third degree	
3		3		Assault, third degree	
1		1		Assault, third degree	
1		1		Assault, third degree	
1		1		Assault, third degree	
3		3		Assault, third degree	
8		8		Assault, third degree	
1		1		Assault, third degree	
10		10		Assault, third degree	
2		2		Assault, third degree	
2		2		Assault, third degree	
6		6		Assault, third degree	
1		1		Intoxication	
1		1		Intoxication	
3		3		Intoxication	
1		1		Intoxication	
1		1		Intoxication	
2		2		Intoxication	
1		1		Intoxication	
2		2		Intoxication	
4		4		Intoxication	
7		7		Intoxication	
1		1		Intoxication	
1		1		Intoxication	

TABLE K—COUNTY OF NIAGARA—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	Fourth quarter	2	..	Misdemeanor	
41		41	..	Misdemeanor	
15		14	1	Misdemeanor	
2		2	..	Misdemeanor	
1		15	..	Misdemeanor	
16		2	..	Misdemeanor	
2		1	..	Misdemeanor	
1		1	..	Misdemeanor	
1		1	..	Misdemeanor	
4		4	..	Misdemeanor	
110		100	10	Misdemeanor	
1		..	1	Petit larceny	
1		1	..	Petit larceny	
2		2	..	Petit larceny	
2		2	..	Petit larceny	
2		2	..	Petit larceny	
1		..	1	Petit larceny	
1		1	..	Petit larceny	
4		4	..	Petit larceny	
2		1	1	Petit larceny	
7		6	1	Petit larceny	
1		1	..	Petit larceny	
1		3	..	Petit larceny	
3		2	2	Petit larceny	
2		4	..	Petit larceny	
6		1	2	Petit larceny	
1		1	..	Petit larceny	
1		1	..	Petit larceny	
4		4	..	Petit larceny	
7		1	..	Petit larceny	
10		10	..	Vagrancy	
4		4	..	Vagrancy	
3		3	..	Vagrancy	
3		2	..	Vagrancy	
				Suspended.	

Total, 1,259; men, 1,210; women, 43.

COUNTY OF ONEIDA

First quarter							
2	.....	Assault, third degree.....	.....	180 days jail.	2	.....	2
1	.....	Assault, third degree.....	.....	90 days jail.	1	.....	1
2	.....	Assault, third degree.....	.....	60 days jail.	2	.....	2
2	.....	Assault, third degree.....	.....	50 days jail or \$50.	2	.....	2
1	.....	Assault, third degree.....	.....	30 days jail.	1	.....	1
2	.....	Assault, third degree.....	.....	25 days jail or \$25.	2	.....	2
2	.....	Assault, third degree.....	.....	20 days jail or \$20.	2	.....	2
4	.....	Assault, third degree.....	.....	10 days jail or \$10.	4	.....	4
3	.....	Assault, third degree.....	.....	5 days jail or \$5.	3	.....	3
1	.....	Assault, third degree.....	.....	5 days jail or \$3.	1	.....	1
.....	1	Assault, third degree.....	.....	Not stated.	.....	1	.....
.....	.....	Assault, third degree.....	.....	Suspended.	.....	.....	.....
2	.....	Intoxication .....	.....	180 days jail.	2	.....	2
4	.....	Intoxication .....	.....	90 days jail.	4	.....	4
2	.....	Intoxication .....	.....	60 days jail.	2	.....	2
4	.....	Intoxication .....	.....	59 days jail.	4	.....	4
5	.....	Intoxication .....	.....	30 days jail.	5	.....	5
23	.....	Intoxication .....	.....	30 days jail or \$10.	23	.....	23
39	1	Intoxication	1	30 days jail.	39	1	39
2	1	Intoxication	1	20 days jail.	2	1	2
1	.....	Intoxication .....	.....	15 days jail or \$5.	1	.....	1
8	.....	Intoxication .....	.....	15 days jail.	8	.....	8
3	.....	Intoxication .....	.....	10 days jail or \$10.	3	.....	3
45	.....	Intoxication .....	.....	10 days jail or \$3.	45	.....	45
26	1	Intoxication	1	10 days jail.	26	1	26
2	.....	Intoxication .....	.....	7 days jail.	2	.....	2
2	.....	Intoxication .....	.....	5 days jail or \$5.	2	.....	2
1	.....	Intoxication .....	.....	5 days jail or \$3.	1	.....	1
10	.....	Intoxication .....	.....	5 days jail.	10	.....	10
1	.....	Intoxication .....	.....	2 days jail.	1	.....	1
.....	1	Intoxication	1	Asylum.	.....	1	.....
.....	1	Intoxication	1	Suspended.	.....	1	.....
280	.....	Intoxication .....	.....	100 days jail or \$100.	280	.....	280
4	.....	Misdemeanor .....	.....	90 days jail.	4	.....	4
2	.....	Misdemeanor .....	.....	59 days jail.	2	.....	2
1	.....	Misdemeanor .....	.....	50 days jail.	1	.....	1
1	.....	Misdemeanor .....	.....	50 days jail or \$50.	1	.....	1
1	.....	Misdemeanor .....	.....	30 days jail or \$5.	1	.....	1
2	.....	Misdemeanor .....	.....	30 days jail.	2	.....	2
1	.....	Misdemeanor .....	.....	25 days jail.	1	.....	1
3	.....	Misdemeanor .....	.....	25 days jail or \$25.	3	.....	3
1	.....	Misdemeanor .....	.....	15 days jail or \$15.	1	.....	1
6	.....	Misdemeanor .....	.....	15 days jail or \$5.	6	.....	6
6	.....	Misdemeanor .....	.....	10 days jail or \$10.	6	.....	6
8	.....	Misdemeanor .....	.....	10 days jail or \$5.	8	.....	8
17	.....	Misdemeanor .....	.....	5 days jail or \$5.	17	.....	17
1	.....	Misdemeanor .....	.....	Fined \$5 ; probation.	1	.....	1

TABLE K — COUNTY OF ONEIDA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	First quarter	2	.....	Misdemeanor	Fined \$5.
15		14	1	Misdemeanor	Asylum.
1		1	.....	Misdemeanor	Probation.
9		9	.....	Misdemeanor	State Industrial School.
5		5	.....	Misdemeanor	Suspended.
1		1	.....	Petit larceny	180 days jail.
1		1	.....	Petit larceny	59 days jail.
1		5	.....	Petit larceny	50 days jail or \$50.
2		2	.....	Petit larceny	30 days jail.
2		2	1	Petit larceny	25 days jail or \$25.
2		2	.....	Petit larceny	20 days jail.
2		2	.....	Petit larceny	15 days jail or \$15.
2		2	.....	Petit larceny	10 days jail or \$10.
2		2	.....	Petit larceny	10 days jail.
3		3	.....	Petit larceny	5 days jail or \$5.
1		1	.....	Petit larceny	5 days jail or \$2.
1		1	.....	Petit larceny	Probation.
1		3	.....	Petit larceny	Suspended.
1		1	.....	Vagrancy	59 days jail.
14		14	.....	Vagrancy	30 days jail.
2		2	.....	Vagrancy	15 days jail.
18		18	.....	Vagrancy	10 days jail.
4		.....	4	Vagrancy	Asylum.
16		.....	.....	Vagrancy	Not stated.
Total, 655; men, 643; women, 12.					
1	Second quarter	1	.....	Assault, third degree.	90 days jail.
3		3	.....	Assault, third degree.	25 days jail or \$25.
1		1	.....	Assault, third degree.	20 days jail or \$20.
2		2	.....	Assault, third degree.	10 days jail or \$10.
1		1	.....	Assault, third degree.	5 days jail or \$5.
1		1	.....	Assault, third degree.	Fined \$50; probation.
1		1	.....	Assault, third degree.	Fined \$5.

1	Intoxication	180 days jail.
3	Intoxication	90 days jail.
1	Intoxication	60 days jail.
2	Intoxication	59 days jail.
28	Intoxication	30 days jail or \$10.
15	Intoxication	30 days jail.
1	Intoxication	25 days jail or \$25.
1	Intoxication	20 days jail.
7	Intoxication	15 days jail or \$5.
2	Intoxication	15 days jail.
2	Intoxication	10 days jail or \$10.
51	Intoxication	10 days jail or \$3.
15	Intoxication	10 days jail.
1	Intoxication	5 days jail or \$5.
1	Intoxication	5 days jail.
1	Intoxication	Asylum.
1	Intoxication	Suspended.
1	Misdemeanor	100 days jail or \$100.
1	Misdemeanor	75 days jail or \$75.
1	Misdemeanor	59 days jail.
1	Misdemeanor	50 days jail or \$50.
1	Misdemeanor	30 days jail or \$10.
2	Misdemeanor	30 days jail or \$5.
1	Misdemeanor	30 days jail.
3	Misdemeanor	25 days jail or \$25.
2	Misdemeanor	20 days jail or \$10.
1	Misdemeanor	20 days jail or \$5.
2	Misdemeanor	20 days jail.
1	Misdemeanor	15 days jail or \$15.
1	Misdemeanor	15 days jail or \$5.
11	Misdemeanor	15 days jail or \$3.
6	Misdemeanor	15 days jail.
8	Misdemeanor	10 days jail or \$10.
4	Misdemeanor	10 days jail or \$5.
10	Misdemeanor	10 days jail or \$3.
7	Misdemeanor	10 days jail.
7	Misdemeanor	5 days jail or \$5.
8	Misdemeanor	5 days jail or \$3.
1	Misdemeanor	5 days jail.
3	Misdemeanor	Fined \$10.
1	Misdemeanor	Fined \$1.
1	Misdemeanor	Asylum.
15	Misdemeanor	Probation.
2	Misdemeanor	State Industrial School.
5	Misdemeanor	Suspended.
10	Misdemeanor	180 days jail.
1	Petit larceny	100 days jail or \$100.
1	Petit larceny	75 days jail or \$75.
1	Petit larceny	

TABLE K — COUNTY OF ONEIDA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	Second quarter	2	.....	Petit larceny	60 days jail.
3		3	.....	Petit larceny	50 days jail or \$50.
6		6	.....	Petit larceny	25 days jail or \$25.
2		2	.....	Petit larceny	10 days jail or \$10.
1		1	.....	Petit larceny	Asylum.
1		1	.....	Vagrancy	90 days jail.
1		1	.....	Vagrancy	30 days jail.
2		11	.....	Vagrancy	20 days jail.
4		4	.....	Vagrancy	15 days jail.
15		15	.....	Vagrancy	10 days jail.
1		1	.....	Vagrancy	5 days jail.
4		.....	4	Vagrancy	Asylum.
2		.....	.....	Vagrancy	Not stated.
1		1	.....	Vagrancy	Suspended.
Total, 331; men, 312; women, 19.					
1	Thrd quarter	1	.....	Assault, third degree	180 days jail.
1		1	.....	Assault, third degree	75 days jail or \$75.
3		3	.....	Assault, third degree	25 days jail or \$25.
2		2	.....	Assault, third degree	15 days jail or \$15.
5		5	.....	Assault, third degree	10 days jail or \$10.
3		3	.....	Assault, third degree	5 days jail or \$5.
1		1	.....	Assault, third degree	Fined \$25; probation.
4		4	.....	Assault, third degree	Suspended.
2		2	.....	Intoxication	180 days jail.
1		1	.....	Intoxication	90 days jail.
6		15	.....	Intoxication	60 days jail.
25		24	1	Intoxication	30 days jail or \$10.
2		2	1	Intoxication	30 days jail or \$5.
19		18	1	Intoxication	30 days jail.
1		1	.....	Intoxication	20 days jail.
7		7	.....	Intoxication	15 days jail or \$5.
5		5	.....	Intoxication	15 days jail.
3		3	1	Intoxication	10 days jail or \$3.

TABLE K — COUNTY OF ONEIDA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	1	Petit larceny	25 days jail.
1		1	1	Petit larceny	15 days jail or \$15.
1		1	1	Petit larceny	10 days jail and \$10.
1		5	1	Petit larceny	10 days jail or \$10.
2		2	1	Petit larceny	5 days jail or \$5.
1		1	1	Petit larceny	5 days jail.
1		1	1	Petit larceny	Fined \$15 ; probation.
1		1	1	Petit larceny	Asylum.
1		2	1	Petit larceny	Suspended.
1		1	1	Vagrancy	60 days jail.
1		9	1	Vagrancy	30 days jail.
1		1	1	Vagrancy	15 days jail.
10		10	1	Vagrancy	10 days jail.
2		2	1	Vagrancy	5 days jail.
1		1	1	Vagrancy	Asylum.
15		15	1	Vagrancy	Not stated.
Total, 566 ; men, 547 ; women, 19.					
2	Fourth quarter	2	1	Assault, third degree	100 days jail or \$100.
1		1	1	Assault, third degree	50 days jail or \$50.
1		1	1	Assault, third degree	40 days jail or \$40.
1		1	1	Assault, third degree	20 days jail or \$20.
2		2	1	Assault, third degree	15 days jail or \$15.
3		3	1	Assault, third degree	10 days jail or \$10.
6		6	1	Assault, third degree	5 days jail or \$5.
1		1	1	Assault, third degree	3 days jail or \$3.
1		1	1	Assault, third degree	Fined \$25 ; probation.
3		3	1	Assault, third degree	Fined \$10.
4		4	1	Assault, third degree	Fined \$5.
3		3	1	Assault, third degree	Not stated.
2		2	1	Assault, third degree	Suspended.
1		1	1	Intoxication	140 days jail.
1		1	1	Intoxication	120 days jail.
1		1	1	Intoxication	90 days jail.

4	Intoxication	3	1	60 days jail.
1	Intoxication	1	...	59 days jail.
1	Intoxication	1	...	55 days jail.
22	Intoxication	22	...	30 days jail or \$10.
7	Intoxication	7	...	30 days jail.
1	Intoxication	1	...	20 days jail.
14	Intoxication	14	...	15 days jail or \$5.
2	Intoxication	2	...	10 days jail or \$10.
64	Intoxication	64	...	10 days jail or \$3.
7	Intoxication	7	...	10 days jail.
1	Intoxication	1	...	5 days jail or \$5.
1	Intoxication	1	...	3 days jail or \$3.
1	Intoxication	1	...	3 days jail.
1	Intoxication	1	...	Fined \$5; probation.
1	Intoxication	1	...	Fined \$3.
5	Intoxication	5	...	Asylum.
168	Intoxication	168	...	Suspended.
2	Misdemeanor	2	...	200 days jail or \$200.
2	Misdemeanor	2	...	180 days jail.
2	Misdemeanor	2	...	120 days jail.
3	Misdemeanor	3	...	100 days jail or \$100
1	Misdemeanor	1	...	60 days jail.
2	Misdemeanor	2	...	50 days jail or \$50.
2	Misdemeanor	2	...	30 days jail or \$10.
5	Misdemeanor	5	...	30 days jail.
1	Misdemeanor	1	...	20 days jail or \$20.
2	Misdemeanor	2	...	15 days jail or \$10.
1	Misdemeanor	1	...	15 days jail or \$3.
3	Misdemeanor	3	...	15 days jail.
12	Misdemeanor	12	...	10 days jail or \$10.
11	Misdemeanor	11	...	10 days jail or \$5.
1	Misdemeanor	1	...	10 days jail or \$4.
18	Misdemeanor	18	...	10 days jail or \$3.
1	Misdemeanor	1	...	10 days jail.
13	Misdemeanor	13	...	5 days jail or \$5.
3	Misdemeanor	3	...	5 days jail or \$3.
1	Misdemeanor	1	...	5 days jail.
3	Misdemeanor	3	...	3 days jail or \$3.
2	Misdemeanor	2	...	Fined \$100.
7	Misdemeanor	7	...	Fined \$25.
1	Misdemeanor	1	...	Fined \$10.
1	Misdemeanor	1	...	Fined \$5.
1	Misdemeanor	1	...	Fined \$3.
1	Misdemeanor	1	...	Fined \$1.
18	Misdemeanor	18	...	Asylum.
1	Misdemeanor	1	...	Bond required.
3	Misdemeanor	3	...	Not stated.

TABLE K — COUNTY OF ONEIDA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
4	Fourth quarter	4	.....	Misdemeanor	State Industrial School.
14		13	1	Misdemeanor	Suspended.
1		1	.....	Petit larceny	180 days jail.
1		1	.....	Petit larceny	120 days jail.
2		2	.....	Petit larceny	90 days jail.
1		1	.....	Petit larceny	50 days jail or \$50.
5		5	.....	Petit larceny	30 days jail.
3		3	.....	Petit larceny	25 days jail or \$25.
1		1	.....	Petit larceny	15 days jail or \$5.
1		1	.....	Petit larceny	15 days jail.
5		4	1	Petit larceny	10 days jail or \$10.
1		1	.....	Petit larceny	10 days jail.
6		6	.....	Petit larceny	5 days jail or \$5.
5		5	.....	Petit larceny	3 days jail or \$3.
1		1	.....	Petit larceny	Fined \$2.
2		2	.....	Petit larceny	Suspended.
1		1	.....	Vagrancy	60 days jail.
6		6	.....	Vagrancy	30 days jail.
1		1	.....	Vagrancy	15 days jail.
6		6	.....	Vagrancy	10 days jail.
1		1	.....	Vagrancy	3 days jail or \$3.
6		.....	6	Vagrancy	Asylum.
8		.....	.....	Vagrancy	Probation.

Total, 554; men, 521; women, 33.

COUNTY OF ONONDAGA

1	First quarter	1	.....	Assault, third degree.....	12 months penitentiary and \$2.50.
4		4	.....	Assault, third degree.....	6 months penitentiary.
2		2	.....	Assault, third degree.....	1 month penitentiary.
1		1	.....	Assault, third degree.....	120 days penitentiary or \$15.
1		1	.....	Assault, third degree.....	30 days penitentiary or \$30.
1		1	.....	Assault, third degree.....	25 days penitentiary or \$25.

TABLE K — COUNTY OF ONONDAGA — (Continued)

Number of convictions	When Convicted	Males	Females	OFFENSE	SENTENCE
38	First quarter	24	14	Misdemeanor	Asylum.
4		4		Misdemeanor	Not stated.
9		9		Misdemeanor	State Industrial School.
71		71		Misdemeanor	Suspended.
1		1		Petit larceny	12 months penitentiary and \$300.
1		1		Petit larceny	12 months penitentiary.
1		1		Petit larceny	11 months penitentiary.
1		1		Petit larceny	10 months penitentiary.
1		1		Petit larceny	9 months penitentiary.
3		3		Petit larceny	6 months penitentiary.
1		1		Petit larceny	4 months penitentiary.
2		2		Petit larceny	3 months penitentiary.
2		2		Petit larceny	2 months penitentiary.
7		7		Petit larceny	1 month penitentiary.
1		1		Petit larceny	120 days penitentiary and \$15.
1		1		Petit larceny	60 days penitentiary or \$15.
2		2		Petit larceny	25 days penitentiary or \$25.
1		1		Petit larceny	15 days penitentiary.
3		3		Petit larceny	10 days penitentiary or \$10.
1		1		Petit larceny	Fined \$10.
1		1		Petit larceny	Fined \$5.
1		1		Petit larceny	Asylum.
4		4		Petit larceny	Not stated.
1		1		Petit larceny	Suspended.
1		1		Petit larceny	Suspended; probation.
1		1		Petit larceny	6 months penitentiary.
6		6		Vagrancy	3 months penitentiary.
2		2		Vagrancy	1 month penitentiary.
11		11		Vagrancy	3 months penitentiary.
18		18		Vagrancy	2 months penitentiary.
9		9		Vagrancy	1 month penitentiary.
16		16		Vagrancy	15 days penitentiary.
1		1		Vagrancy	Not stated.
3		3		Vagrancy	Suspended.
4		4		Vagrancy	
Total, 480; men, 444; women, 32					

[illegible]

54	Intoxication	.....	.....	Intoxication	.....	30 days jail or \$5.
8	Intoxication	.....	.....	Intoxication	.....	30 days jail or \$3.
7	Intoxication	.....	.....	Intoxication	.....	30 days jail.
4	Intoxication	.....	.....	Intoxication	.....	25 days jail or \$25.
1	Intoxication	.....	.....	Intoxication	.....	20 days jail or \$10.
13	Intoxication	.....	.....	Intoxication	.....	20 days jail or \$5.
1	Intoxication	.....	.....	Intoxication	.....	20 days jail or \$4.
20	Intoxication	.....	.....	Intoxication	.....	20 days jail or \$3.
1	Intoxication	.....	.....	Intoxication	.....	20 days jail or \$1.
5	Intoxication	.....	.....	Intoxication	.....	20 days jail.
10	Intoxication	.....	.....	Intoxication	.....	10 days jail or \$10.
6	Intoxication	.....	.....	Intoxication	.....	10 days jail or \$5.
2	Intoxication	.....	.....	Intoxication	.....	10 days jail or \$4.
28	Intoxication	.....	.....	Intoxication	.....	10 days jail or \$3.
2	Intoxication	.....	.....	Intoxication	.....	10 days jail.
10	Intoxication	.....	.....	Intoxication	.....	5 days jail or \$5.
7	Intoxication	.....	.....	Intoxication	.....	3 days jail or \$3.
1	Intoxication	.....	.....	Intoxication	.....	Fined \$10.
40	Intoxication	.....	2	Intoxication	.....	Fined \$5.
4	Intoxication	.....	.....	Intoxication	.....	Fined \$4.
54	Intoxication	.....	1	Intoxication	.....	Fined \$3.
1	Intoxication	.....	.....	Intoxication	.....	Fined \$2.50.
13	Intoxication	.....	.....	Intoxication	.....	Fined \$2.
2	Intoxication	.....	.....	Intoxication	.....	Fined \$1.
2	Intoxication	.....	.....	Intoxication	.....	Not stated.
2	Intoxication	.....	.....	Intoxication	.....	Probation.
130	Intoxication	.....	2	Intoxication	.....	Suspended.
1	Misdemeanor	.....	.....	Misdemeanor	.....	59 days jail and \$1.
1	Misdemeanor	.....	.....	Misdemeanor	.....	50 days jail or \$50.
1	Misdemeanor	.....	.....	Misdemeanor	.....	35 days jail or \$35.
2	Misdemeanor	.....	.....	Misdemeanor	.....	30 days jail or \$10.
2	Misdemeanor	.....	.....	Misdemeanor	.....	30 days jail.
3	Misdemeanor	.....	.....	Misdemeanor	.....	25 days jail or \$25.
1	Misdemeanor	.....	.....	Misdemeanor	.....	20 days jail or \$5.
7	Misdemeanor	.....	.....	Misdemeanor	.....	20 days jail.
8	Misdemeanor	.....	.....	Misdemeanor	.....	10 days jail.
8	Misdemeanor	.....	.....	Misdemeanor	.....	5 days jail or \$5.
1	Misdemeanor	.....	.....	Misdemeanor	.....	3 days jail or \$3.
1	Misdemeanor	.....	4	Misdemeanor	.....	Fined \$200.
.....	Misdemeanor	.....	1	Misdemeanor	.....	Fined \$50.
.....	Misdemeanor	.....	.....	Misdemeanor	.....	Fined \$25.
3	Misdemeanor	.....	.....	Misdemeanor	.....	Fined \$10.
8	Misdemeanor	.....	.....	Misdemeanor	.....	Fined \$5.
20	Misdemeanor	.....	.....	Misdemeanor	.....	Fined \$3.
7	Misdemeanor	.....	.....	Misdemeanor	.....	Fined \$2.
17	Misdemeanor	.....	.....	Misdemeanor	.....	Fined \$1.
1	Misdemeanor	.....	1	Misdemeanor	.....	Asylum.

1	Intoxication	.....	60 days jail or \$10.
1	Intoxication	.....	60 days jail or \$5.
5	Intoxication	.....	59 days jail.
1	Intoxication	.....	50 days jail or \$50.
1	Intoxication	.....	50 days jail or \$10.
3	Intoxication	.....	50 days jail.
1	Intoxication	.....	30 days jail or \$10.
2	Intoxication	.....	30 days jail or \$5.
1	Intoxication	.....	30 days jail or \$3.
1	Intoxication	.....	30 days jail.
1	Intoxication	.....	25 days jail or \$25.
2	Intoxication	.....	25 days jail.
3	Intoxication	.....	20 days jail or \$5.
1	Intoxication	.....	20 days jail.
7	Intoxication	.....	20 days jail.
15	Intoxication	.....	15 days jail.
6	Intoxication	.....	10 days jail or \$10.
4	Intoxication	.....	10 days jail or \$5.
12	Intoxication	.....	10 days jail or \$3.
1	Intoxication	.....	10 days jail or \$2.
3	Intoxication	.....	10 days jail.
4	Intoxication	.....	5 days jail or \$5.
2	Intoxication	.....	5 days jail.
2	Intoxication	.....	Fined \$10.
4	Intoxication	.....	Fined \$8.
1	Intoxication	.....	Fined \$5.
2	Intoxication	.....	Fined \$3.
5	Intoxication	.....	Fined \$2.
9	Intoxication	.....	Fined \$1.
3	Intoxication	.....	Banished.
1	Intoxication	.....	Probation.
2	Intoxication	.....	Suspended.
1	Intoxication	.....	6 months penitentiary.
1	Misdemeanor	.....	59 days jail.
9	Misdemeanor	.....	30 days jail.
3	Misdemeanor	.....	20 days jail.
1	Misdemeanor	.....	15 days jail and \$15.
1	Misdemeanor	.....	15 days jail.
1	Misdemeanor	.....	12 days jail.
1	Misdemeanor	.....	10 days jail and \$10.
2	Misdemeanor	.....	10 days jail or \$10.
10	Misdemeanor	.....	10 days jail.
1	Misdemeanor	.....	8 days jail.
3	Misdemeanor	.....	5 days jail or \$5.
2	Misdemeanor	.....	Fined \$50.
3	Misdemeanor	.....	Fined \$5.
3	Misdemeanor	.....	Fined \$3.
1	Misdemeanor	.....	Adjudged a disorderly person.
1	Misdemeanor	.....

TABLE K — COUNTY OF ONTARIO — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	Second quarter	1	1	Misdemeanor	Asylum.
1		1		Misdemeanor	Bond required.
1		1		Misdemeanor	Not stated.
1		8		Misdemeanor	Suspended.
2		2		Petit larceny	50 days jail or \$50.
1		1		Petit larceny	50 days jail or \$25.
1		1		Petit larceny	30 days jail or \$30.
2		2		Petit larceny	30 days jail.
1		1		Petit larceny	25 days jail or \$25.
4		4		Petit larceny	Fined \$5.
4		4		Petit larceny	Suspended.
3		3		Vagrancy	2 months penitentiary.
5		5		Vagrancy	1 month penitentiary.
1		1		Vagrancy	20 days jail.
5		5		Vagrancy	Not stated.
Total, 374; men, 372; women, 2.					
1	Third quarter	1		Assault, third degree.	30 days jail or \$30.
1			1	Assault, third degree.	Banished.
1		1		Assault, third degree.	Fined \$10.
1		1		Assault, third degree.	Fined \$5.
1		1		Assault, third degree.	Suspended.
1		1		Intoxication	3 months penitentiary or \$5.
1		1		Intoxication	3 months penitentiary.
1		1		Intoxication	2 months penitentiary or \$5.
1		1		Intoxication	2 months penitentiary or \$3.
4		4		Intoxication	2 months penitentiary.
3		3		Intoxication	60 days jail or \$5.
1			1	Intoxication	59 days jail.
2		2		Intoxication	60 days jail or \$50.
1		1		Intoxication	30 days jail or \$10.
5		5		Intoxication	30 days jail or \$5.
3		3		Intoxication	30 days jail.
3		3		Intoxication	25 days jail or \$25.

TABLE K — COUNTY OF ONTARIO — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	Second quarter	1	1	Misdemeanor	Asylum.
1		1	.....	Misdemeanor	Bond required.
1		1	.....	Misdemeanor	Not stated.
1		8	.....	Misdemeanor	Suspended.
2		2	.....	Petit larceny	50 days jail or \$50.
1		1	.....	Petit larceny	50 days jail or \$25.
1		1	.....	Petit larceny	30 days jail or \$30.
2		2	.....	Petit larceny	30 days jail.
1		1	.....	Petit larceny	25 days jail or \$25.
4		4	.....	Petit larceny	Fined \$5.
4		4	.....	Petit larceny	Suspended.
3		3	.....	Vagrancy	2 months penitentiary.
5		5	.....	Vagrancy	1 month penitentiary.
1		1	.....	Vagrancy	20 days jail.
5		5	.....	Vagrancy	Not stated.
Total, 374; men, 372; women, 2.					
1	Third quarter	1	.....	Assault, third degree	30 days jail or \$30.
1		.....	1	Assault, third degree	Banished.
1		1	.....	Assault, third degree	Fined \$10.
1		1	.....	Assault, third degree	Fined \$5.
1		1	.....	Assault, third degree	Suspended.
1		1	.....	Intoxication	3 months penitentiary or \$5.
1		1	.....	Intoxication	3 months penitentiary.
1		1	.....	Intoxication	2 months penitentiary or \$5.
1		1	.....	Intoxication	2 months penitentiary or \$3.
4		4	.....	Intoxication	2 months penitentiary.
3		3	.....	Intoxication	60 days jail or \$5.
1		1	.....	Intoxication	60 days jail.
2		2	.....	Intoxication	60 days jail or \$50.
1		1	.....	Intoxication	30 days jail or \$10.
5		5	.....	Intoxication	30 days jail or \$5.
3		3	.....	Intoxication	30 days jail.
3		3	.....	Intoxication	25 days jail or \$25.

1	Intoxication	.....	20 days jail or \$10.
1	Intoxication	.....	20 days jail or \$8.
29	Intoxication	.....	20 days jail or \$5.
5	Intoxication	.....	20 days jail or \$3.
5	Intoxication	.....	20 days jail.
1	Intoxication	.....	15 days jail or \$15.
1	Intoxication	.....	15 days jail.
1	Intoxication	.....	10 days jail or \$5.
1	Intoxication	.....	10 days jail or \$10.
18	Intoxication	.....	10 days jail or \$5.
11	Intoxication	.....	10 days jail or \$3.
18	Intoxication	.....	10 days jail.
3	Intoxication	.....	5 days jail or \$5.
1	Intoxication	.....	Fined \$100.
1	Intoxication	.....	Fined \$25.
1	Intoxication	.....	Fined \$10.
1	Intoxication	.....	Fined \$7.
1	Intoxication	.....	Fined \$5; probation.
15	Intoxication	.....	Fined \$5.
1	Intoxication	.....	Fined \$4.
15	Intoxication	.....	Fined \$3.
5	Intoxication	.....	Fined \$2.
1	Intoxication	.....	Fined \$1.
.....	Intoxication	.....
1	Intoxication	.....
44	Intoxication	.....
1	Misdemeanor	.....
1	Misdemeanor	.....
1	Misdemeanor	.....
1	Misdemeanor	.....
1	Misdemeanor	.....
1	Misdemeanor	.....
5	Misdemeanor	.....
3	Misdemeanor	.....
1	Misdemeanor	.....
1	Misdemeanor	.....
1	Misdemeanor	.....
6	Misdemeanor	.....
1	Misdemeanor	.....
1	Misdemeanor	.....
1	Misdemeanor	.....
9	Misdemeanor	.....
1	Misdemeanor	.....
7	Misdemeanor	.....
7	Misdemeanor	.....
4	Misdemeanor	.....
1	Misdemeanor	.....
1	Misdemeanor	.....
1	Misdemeanor	
1	Misdemeanor	
4	Misdemeanor	
10	Misdemeanor	
11	Misdemeanor	

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TABLE K—COUNTY OF ONTARIO—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
	Third quarter				
1	1	.....	Petit larceny	
1	1	Petit larceny	
1	1	.....	Petit larceny	
1	1	.....	Petit larceny	
1	1	.....	Petit larceny	
1	1	.....	Petit larceny	
5	5	.....	Petit larceny	
1	1	.....	Petit larceny	
1	1	.....	Petit larceny	
1	1	.....	Petit larceny	
1	1	.....	Petit larceny	
6	6	.....	Petit larceny	
6	6	.....	Vagrancy	
3	3	.....	Vagrancy	
4	4	.....	Vagrancy	
1	1	.....	Violation Liquor Tax Law	or \$15.
1	1	.....	Violation Liquor Tax Law	
1	1	.....	Violation Liquor Tax Law	
1	1	.....	Violation Liquor Tax Law	
1	1	.....	Violation Liquor Tax Law	
1	1	.....	Violation Liquor Tax Law	
Total, 300; men, 298; women, 11.					
	Fourth quarter				
1	1	.....	Assault, third degree	2 months penitentiary or \$25.
1	1	.....	Assault, third degree	2 months penitentiary or \$10.
1	1	.....	Assault, third degree	45 days jail.
1	1	.....	Assault, third degree	20 days jail or \$10.
1	1	.....	Assault, third degree	10 days jail or \$10.
1	1	.....	Assault, third degree	Fined \$25.
5	5	.....	Assault, third degree	Suspended.
1	1	.....	Assault, third degree	2 months penitentiary or \$3.
1	1	.....	Intoxication	60 days jail or \$10.
1	1	.....	Intoxication	60 days jail or \$5.
1	1	.....	Intoxication	60 days jail or \$50.
1	1	.....	Intoxication	40 days jail or \$5.
1	1	.....	Intoxication	30 days jail or \$5.
1	1	.....	Intoxication	30 days jail or \$4.

1	Intoxication	.....	30 days jail or \$3.
4	Intoxication	.....	30 days jail.
17	Intoxication	.....	20 days jail or \$5.
1	Intoxication	.....	20 days jail or \$4.
1	Intoxication	.....	20 days jail or \$3.
3	Intoxication	.....	15 days jail.
3	Intoxication	.....	10 days jail or \$10.
6	Intoxication	.....	10 days jail or \$5.
23	Intoxication	.....	10 days jail or \$3.
1	Intoxication	.....	10 days jail or \$2.50.
4	Intoxication	.....	10 days jail.
1	Intoxication	.....	8 days jail.
1	Intoxication	.....	3 days jail or \$3.
2	Intoxication	.....	Fined \$10.
1	Intoxication	.....	Fined \$6.
9	Intoxication	.....	Fined \$5.
4	Intoxication	.....	Fined \$4.
20	Intoxication	.....	Fined \$3.
1	Intoxication	.....	Fined \$2.50.
3	Intoxication	.....	Fined \$2.
1	Intoxication	.....	Fined \$1.50.
5	Intoxication	.....	Fined \$1.
1	Intoxication	.....	Dismissed.
3	Intoxication	.....	Probation.
.....	Intoxication	.....	Suspended; probation.
32	Intoxication	.....	Suspended.
1	Misdemeanor	.....	200 days jail or \$200.
5	Misdemeanor	.....	30 days jail.
1	Misdemeanor	.....	20 days jail or \$10.
5	Misdemeanor	.....	20 days jail.
.....	Misdemeanor	.....	10 days jail or \$3.
9	Misdemeanor	.....	10 days jail.
1	Misdemeanor	.....	Fined \$10.
3	Misdemeanor	.....	Fined \$5.
1	Misdemeanor	.....	Fined \$3.
4	Misdemeanor	.....	Fined \$1.
4	Misdemeanor	.....	Suspended.
1	Petit larceny	.....	75 days penitentiary.
3	Petit larceny	.....	30 days jail.
1	Petit larceny	.....	15 days jail.
3	Petit larceny	.....	10 days jail.
1	Vagrancy	.....	2 months penitentiary.
1	Vagrancy	.....	30 days jail.
4	Vagrancy	.....	Suspended.
.....	Total, 223; men, 212; women, 11.		

TABLE K — COUNTY OF ORANGE

convictions Number of	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	First quarter .....	.....	1	Assault, third degree.....	120 days jail.
1		1	.....	Assault, third degree.....	10 days jail or \$10.
1		1	.....	Assault, third degree.....	5 days jail or \$5.
6		5	1	Assault, third degree.....	Suspended.
3		3	.....	Intoxication	180 days jail.
1		1	.....	Intoxication	120 days jail.
4		4	.....	Intoxication	90 days jail.
1		1	.....	Intoxication	60 days jail or \$10.
3		2	1	Intoxication	60 days jail.
3		3	.....	Intoxication	40 days jail.
10		10	.....	Intoxication	30 days jail.
2		1	1	Intoxication	20 days jail.
1		1	.....	Intoxication	15 days jail.
1		1	.....	Intoxication	10 days jail or \$7.50.
29		29	.....	Intoxication	10 days jail or \$3.
1		1	.....	Intoxication	10 days jail or \$2.50.
16		16	.....	Intoxication	10 days jail.
1		1	.....	Intoxication	5 days jail or \$5.
6		6	.....	Intoxication	5 days jail or \$3.
7		7	.....	Intoxication	5 days jail.
2		2	.....	Intoxication	2 days jail.
47		46	1	Intoxication	Suspended.
2		2	.....	Misdemeanor	90 days jail.
1		1	.....	Misdemeanor	60 days jail.
1		1	.....	Misdemeanor	30 days jail or \$25.
2		2	.....	Misdemeanor	20 days jail.
6		5	1	Misdemeanor	10 days jail or \$10.
4		3	1	Misdemeanor	10 days jail.
4		4	.....	Misdemeanor	5 days jail or \$5.
3		3	.....	Misdemeanor	3 days jail or \$2.50.
5		3	2	Misdemeanor	Bedford reformatory.
14		14	.....	Misdemeanor	Probation.
9		9	.....	Misdemeanor	Suspended.
1		1	.....	Petit larceny	150 days jail.
3		3	.....	Petit larceny	120 days jail.
1		1	.....	Petit larceny	90 days jail.

TABLE K — COUNTY OF ORANGE — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	.....	Misdemeanor	Fined \$1.
1		1	.....	Misdemeanor	Adjudged a disorderly person.
3		.....	3	Misdemeanor	Asylum.
2		.....	2	Misdemeanor	Bedford reformatory.
2		.....	1	Misdemeanor	Probation.
2		.....	2	Misdemeanor	Suspended.
1		.....	.....	Misdemeanor	180 days jail.
1		.....	.....	Petit larceny	60 days jail.
1		.....	.....	Petit larceny	30 days jail or \$30.
1		.....	.....	Petit larceny	30 days jail.
1		.....	.....	Petit larceny	25 days jail or \$25.
1		.....	1	Petit larceny	15 days jail.
2		.....	.....	Petit larceny	5 days jail or \$5.
1		.....	.....	Petit larceny	Asylum.
1		.....	.....	Petit larceny	Suspended.
1		.....	.....	Petit larceny	6 months penitentiary.
1		.....	.....	Vagrancy	3 months penitentiary.
2		.....	.....	Vagrancy	2 months penitentiary.
1		.....	.....	Vagrancy	20 days jail.
1		.....	.....	Vagrancy	10 days jail.
2		.....	.....	Vagrancy	Bedford reformatory.
2		.....	2	Vagrancy	
Total, 243; men, 218; women, 25.					
1	Fourth quarter	1	.....	Assault, third degree	180 days jail.
1		1	.....	Assault, third degree	90 days jail.
3		3	.....	Assault, third degree	30 days jail.
3		3	.....	Assault, third degree	10 days jail or \$10.
1		1	.....	Assault, third degree	10 days jail.
3		3	.....	Assault, third degree	5 days jail or \$5.
1		1	.....	Assault, third degree	Asylum.
1		1	.....	Assault, third degree	Suspended; probation.
1		1	.....	Assault, third degree	Suspended.
4		3	1	Assault, third degree	180 days jail.
1		.....	1	Intoxication	90 days jail.
1		.....	.....	Intoxication	90 days jail or \$50.

1	1	Intoxication	.....	60 days jail.
1	1	Intoxication	.....	30 days jail or \$10.
7	2	Intoxication	.....	30 days jail.
1	1	Intoxication	.....	20 days jail or \$5.
1	.....	Intoxication	.....	15 days jail.
4	.....	Intoxication	.....	10 days jail or \$10.
4	.....	Intoxication	.....	10 days jail or \$5.50.
6	.....	Intoxication	.....	10 days jail or \$5.
2	.....	Intoxication	.....	10 days jail or \$3.
8	2	Intoxication	.....	10 days jail.
2	.....	Intoxication	.....	5 days jail or \$5.
3	1	Intoxication	.....	5 days jail or \$3.
2	.....	Intoxication	.....	5 days jail.
2	.....	Intoxication	.....	Probation.
2	2	Intoxication	.....	Suspended.
1	.....	Misdemeanor	.....	90 days jail.
5	.....	Misdemeanor	.....	60 days jail.
1	.....	Misdemeanor	.....	40 days jail or \$10.
3	.....	Misdemeanor	.....	30 days jail or \$30.
1	1	Misdemeanor	.....	30 days jail.
2	.....	Misdemeanor	.....	25 days jail or \$25.
1	.....	Misdemeanor	.....	15 days jail or \$15.
.....	1	Misdemeanor	.....	15 days jail.
3	.....	Misdemeanor	.....	12 days jail or \$12.
5	.....	Misdemeanor	.....	10 days jail or \$10.
4	.....	Misdemeanor	.....	10 days jail.
1	.....	Misdemeanor	.....	8 days jail or \$8.
8	.....	Misdemeanor	.....	5 days jail or \$5.
5	.....	Misdemeanor	.....	5 days jail.
1	.....	Misdemeanor	.....	3 days jail or \$3.
4	.....	Misdemeanor	.....	3 days jail or \$2.50.
1	.....	Misdemeanor	.....	1 day jail or \$2.
.....	2	Misdemeanor	.....	Asylum.
4	.....	Misdemeanor	.....	Suspended ; probation.
3	.....	Misdemeanor	.....	Suspended.
8	.....	Misdemeanor	.....	180 days jail.
2	.....	Petit larceny	.....	90 days jail and \$50.
2	.....	Petit larceny	.....	90 days jail.
2	.....	Petit larceny	.....	60 days jail and \$25.
1	.....	Petit larceny	.....	60 days jail.
2	.....	Petit larceny	.....	30 days jail and \$10.
1	.....	Petit larceny	.....	30 days jail.
4	.....	Petit larceny	.....	25 days jail or \$25.
1	.....	Petit larceny	.....	15 days jail.
2	.....	Petit larceny	.....	10 days jail or \$10 ; probation.
1	.....	Petit larceny	.....	10 days jail or \$10.
1	.....	Petit larceny	.....	Asylum.
2	.....	Petit larceny	.....	Suspended.

TABLE K—COUNTY OF ORANGE—(Continued)

Number of convictions to require	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Fourth quarter	1	1	Vagrancy	30 days jail.
3		3	1	Vagrancy	10 days jail.
1			1	Vagrancy	Bedford reformatory.
1		1		Vagrancy	Suspended.
Total, 181; men, 106; women, 15.					
COUNTY OF ORLEANS					
1	First quarter	1	1	Assault, first degree	15 days jail or \$15.
1		1	1	Intoxication	3 months penitentiary.
2		2	2	Intoxication	130 days penitentiary.
2		2	1	Intoxication	
1		3	3	Intoxication	
3		2	5	Intoxication	
2		2	1	Intoxication	
2		2	2	Intoxication	
2		2	2	Intoxication	
1		1	1	Misdemeanor	
1		1	1	Misdemeanor	
1		1	4	Misdemeanor	
4		2	2	Misdemeanor	
2		1	1	Misdemeanor	
1		1	1	Petit larceny	
1		1	1	Vagrancy	
1		10		Vagrancy	
16		Total, 51; men, 51; women, 0.			
1	Second quarter	1	1	Assault, third degree	100 days penitentiary.
1		1	1	Assault, third degree	10 days jail or \$10.

1	1	Assault, third degree.	10 days jail or \$10.
2	1	Assault, third degree.	5 days jail or \$5.
1	1	Assault, third degree.	Suspended.
1	1	Intoxication	
1	1	Intoxication	
1	1	Intoxication	
6	1	Intoxication	
2	1	Intoxication	
1	1	Intoxication	
1	1	Intoxication	
14	1	Intoxication	
1	1	Intoxication	
1	1	Intoxication	
2	1	Intoxication	
1	1	Intoxication	
2	1	Intoxication	
1	1	Intoxication	
1	1	Misdemeanor	
1	1	Misdemeanor	
4	1	Misdemeanor	
1	1	Misdemeanor	
3	1	Misdemeanor	
3	1	Misdemeanor	
1	1	Petit larceny	
1	1	Petit larceny	
2	1	Petit larceny	
6	1	Petit larceny	
1	1	Vagrancy	Suspended.
1	1	Vagrancy	15 days jail.
2	1	Vagrancy	10 days jail.
2	1	Vagrancy	5 days jail.
19	1	Vagrancy	Not stated.
Total, 86; men, 86; women, 0.			
1	1	Assault, third degree.	7 days jail.
1	1	Intoxication	6 months penitentiary.
1	1	Intoxication	60 days jail.
3	1	Intoxication	15 days jail or \$15.
1	1	Intoxication	15 days jail.
7	1	Intoxication	10 days jail or \$10.
1	1	Intoxication	5 days jail or \$7.
11	1	Intoxication	5 days jail or \$5.
1	1	Intoxication	4 days jail.
3	1	Intoxication	3 days jail or \$3.
1	1	Intoxication	3 days jail.
2	1	Intoxication	2 days jail or \$2.
1	1	Intoxication	Suspended.
1	1	Misdemeanor	2 months penitentiary.
2	1	Misdemeanor	25 days jail or \$25.
Third quarter			
1	1	Assault, third degree.	10 days jail or \$10.
1	1	Assault, third degree.	5 days jail or \$5.
1	1	Assault, third degree.	Suspended.
1	1	Intoxication	
1	1	Intoxication	
1	1	Intoxication	
6	1	Intoxication	
2	1	Intoxication	
1	1	Intoxication	
1	1	Intoxication	
14	1	Intoxication	
1	1	Intoxication	
1	1	Intoxication	
2	1	Intoxication	
1	1	Intoxication	
2	1	Intoxication	
1	1	Intoxication	
1	1	Misdemeanor	
1	1	Misdemeanor	
4	1	Misdemeanor	
1	1	Misdemeanor	
3	1	Misdemeanor	
3	1	Misdemeanor	
1	1	Petit larceny	
1	1	Petit larceny	
2	1	Petit larceny	
6	1	Petit larceny	
1	1	Vagrancy	Suspended.
1	1	Vagrancy	15 days jail.
2	1	Vagrancy	10 days jail.
2	1	Vagrancy	5 days jail.
19	1	Vagrancy	Not stated.

TABLE K—COUNTY OF ORLEANS—(Continued)

Number of convictions	When Convicted	Males	Females	OFFENSE	SENTENCE
Third quarter					
7		7		Misdemeanor	
1		1		Misdemeanor	
1		1		Misdemeanor	
1		1		Misdemeanor	
5		5		Misdemeanor	
3		3		Misdemeanor	
1		1		Misdemeanor	
4		4		Misdemeanor	
1		1		Petit larceny	
1		1		Petit larceny	
2		2		Petit larceny	
1		1		Petit larceny	
1		1		Petit larceny	
4		4		Petit larceny	
5		5		Vagrancy	
Total, 76; men, 76; women, 0.					
Fourth quarter					
1		1		Assault, third degree	10 days jail.
1		1		Assault, third degree	10 days jail.
1		1		Assault, third degree	Suspended.
1		1		Intoxication	6 months penitentiary.
1		1		Intoxication	100 days penitentiary.
1		1		Intoxication	65 days penitentiary.
1		1		Intoxication	60 days jail.
1		1		Intoxication	40 days jail or \$40.
1		1		Intoxication	20 days jail.
6		6		Intoxication	10 days jail or \$10.
1		1		Intoxication	10 days jail.
5		5		Intoxication	5 days jail or \$5.
2		2		Intoxication	5 days jail.
1		1		Intoxication	4 days jail or \$4.
3		3		Intoxication	3 days jail or \$3.
1		1		Intoxication	2 days jail or \$10.
1		1		Intoxication	2 days jail.
2		2		Intoxication	Misdemeanor.

TABLE K — COUNTY OF OSWEGO — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	First quarter	1	.....	Misdemeanor	45 days jail.
1		1	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	25 days jail or \$25.
1		1	.....	Misdemeanor	20 days jail or \$20.
1		1	.....	Misdemeanor	15 days jail or \$10.
1		1	.....	Misdemeanor	15 days jail.
2		2	.....	Misdemeanor	Not stated.
1		1	.....	Petit larceny	180 days jail.
1		1	.....	Petit larceny	90 days jail.
3		2	.....	Petit larceny	59 days jail.
1		1	.....	Petit larceny	30 days jail.
1		1	.....	Vagrancy	120 days jail.
2		2	.....	Vagrancy	45 days jail.
2		2	.....	Vagrancy	30 days jail.
1		1	.....	Vagrancy	25 days jail.
4		2	.....	Vagrancy	20 days jail.
2		2	.....	Vagrancy	15 days jail.
2		2	.....	Vagrancy	10 days jail.
			.....	Vagrancy	Not stated.
Total, 140; men, 137; women, 3.					
1	Second quarter	1	.....	Assault, third degree	15 days jail.
1		1	.....	Assault, third degree	10 days jail or \$10.
1		.....	1	Assault, third degree	5 days jail or \$5.
1		.....	2	Intoxication	180 days jail and \$5.
3		1	.....	Intoxication	180 days jail.
1		1	.....	Intoxication	120 days jail.
1		1	.....	Intoxication	90 days jail.
1		1	.....	Intoxication	60 days jail and \$5.
1		1	.....	Intoxication	60 days jail.
1		1	.....	Intoxication	40 days jail.
1		1	.....	Intoxication	30 days jail or \$10.
4		10	.....	Intoxication	30 days jail.
1		1	.....	Intoxication	25 days jail or \$10.
1		1	.....	Intoxication	25 days jail.

1	1	Intoxication	20 days jail or \$10.
3	1	Intoxication	20 days jail.
1	1	Intoxication	15 days jail or \$10.
4	1	Intoxication	15 days jail.
16	1	Intoxication	10 days jail or \$10.
7	1	Intoxication	10 days jail.
11	1	Intoxication	5 days jail or \$5.
1	1	Intoxication	5 days jail.
1	1	Intoxication	2 days jail or \$2.
2	1	Intoxication	Fined \$5.
1	1	Intoxication	Fined \$3.
1	1	Intoxication	Banished.
6	1	Intoxication	Suspended.
1	1	Misdemeanor	365 days jail.
1	1	Misdemeanor	50 days jail or \$50.
1	1	Misdemeanor	
1	1	Misdemeanor	
2	1	Misdemeanor	\$15.
1	1	Misdemeanor	\$400.
3	1	Misdemeanor	id \$50.
1	1	Petit larceny	
1	1	Petit larceny	\$100.
1	1	Petit larceny	\$100.
1	1	Petit larceny	\$50.
2	1	Petit larceny	
1	1	Vagrancy	
1	1	Vagrancy	
2	1	Vagrancy	
3	1	Vagrancy	
7	1	Vagrancy	
10	1	Vagrancy	
Total, 136; men, 132; women, 4.			

2	1	Assault, third degree	180 days jail and \$10.
1	1	Assault, third degree	180 days jail.
1	1	Assault, third degree	90 days jail and \$25.
1	1	Assault, third degree	30 days jail.
1	1	Assault, third degree	15 days jail.
1	1	Assault, third degree	10 days jail or \$10.
2	1	Intoxication	180 days jail and \$10.
2	1	Intoxication	180 days jail and \$5.
7	1	Intoxication	180 days jail.
1	1	Intoxication	90 days jail and \$10.
2	1	Intoxication	90 days jail and \$5.
5	1	Intoxication	90 days jail.
1	1	Intoxication	60 days jail and \$5.
3	1	Intoxication	60 days jail.
1	1	Intoxication	50 days jail.
Third quarter			

TABLE K — COUNTY OF OSWEGO — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
3	Third quarter	2	1	Intoxication	45 days jail.
4		3	1	Intoxication	35 days jail.
4		4		Intoxication	30 days jail and \$5.
16		16		Intoxication	30 days jail.
4		4		Intoxication	25 days jail.
1		1		Intoxication	20 days jail or \$5.
7		7		Intoxication	20 days jail.
3		3		Intoxication	15 days jail or \$10.
4		4		Intoxication	15 days jail.
11		11		Intoxication	10 days jail or \$10.
18		18		Intoxication	10 days jail.
1		1		Intoxication	6 days jail.
18		18		Intoxication	5 days jail or \$5.
1		1		Intoxication	5 days jail.
1		1		Intoxication	3 days jail or \$3.
6		6		Intoxication	Suspended.
1		1		Misdemeanor	180 days jail and \$25.
1		1		Misdemeanor	50 days jail or \$50.
1		1		Misdemeanor	45 days jail.
1		1	1	Misdemeanor	35 days jail.
1		1		Misdemeanor	25 days jail or \$25.
1		1		Misdemeanor	15 days jail or \$15.
1		1		Misdemeanor	15 days jail.
5		4	1	Misdemeanor	10 days jail or \$10.
1		1		Misdemeanor	10 days jail.
1		1		Misdemeanor	5 days jail or \$5.
1		1		Misdemeanor	5 days jail.
1		1		Misdemeanor	Not stated.
1		1		Misdemeanor	Suspended.
1		1		Petit larceny	30 days jail and \$3.
1		1		Petit larceny	30 days jail or \$30.
1		1		Petit larceny	25 days jail.
2		2		Petit larceny	10 days jail or \$10.
1		1		Petit larceny	Not stated.
1		1		Vagrancy	2 months penitentiary.
1		1		Vagrancy	120 days jail.

21	1	3	2	2	1	21	Vagrancy	30 days jail.
1	1	1	1	1	1	1	Vagrancy	25 days jail.
3	3	3	3	3	3	3	Vagrancy	20 days jail.
2	2	2	2	2	2	2	Vagrancy	15 days jail.
2	2	2	2	2	2	2	Vagrancy	10 days jail or \$10.
1	1	1	1	1	1	1	Vagrancy	10 days jail.
21	21	21	21	21	21	21	Vagrancy	Not stated.
Total, 183; men, 176; women, 7.								
1	1	1	1	1	1	1	Assault, third degree	50 days jail or \$50.
1	1	1	1	1	1	1	Assault, third degree	30 days jail.
1	1	1	1	1	1	1	Assault, third degree	25 days jail.
2	2	2	2	2	2	2	Assault, third degree	20 days jail or \$20.
1	1	1	1	1	1	1	Assault, third degree	20 days jail.
1	1	1	1	1	1	1	Assault, third degree	10 days jail.
1	1	1	1	1	1	1	Assault, third degree	5 days jail or \$5.
1	1	1	1	1	1	1	Intoxication	180 days jail and \$10.
2	2	2	2	2	2	2	Intoxication	180 days jail.
1	1	1	1	1	1	1	Intoxication	120 days jail.
2	2	2	2	2	2	2	Intoxication	90 days jail.
3	3	3	3	3	3	3	Intoxication	60 days jail.
1	1	1	1	1	1	1	Intoxication	30 days jail and \$10.
4	4	4	4	4	4	4	Intoxication	30 days jail or \$10.
1	1	1	1	1	1	1	Intoxication	30 days jail.
1	1	1	1	1	1	1	Intoxication	25 days jail or \$10.
4	4	4	4	4	4	4	Intoxication	20 days jail.
4	4	4	4	4	4	4	Intoxication	15 days jail or \$10.
8	8	8	8	8	8	8	Intoxication	15 days jail.
5	5	5	5	5	5	5	Intoxication	10 days jail and \$10.
1	1	1	1	1	1	1	Intoxication	10 days jail or \$15.
9	9	9	9	9	9	9	Intoxication	10 days jail or \$10.
2	2	2	2	2	2	2	Intoxication	10 days jail or \$5.
4	4	4	4	4	4	4	Intoxication	10 days jail.
5	5	5	5	5	5	5	Intoxication	5 days jail or \$5.
3	3	3	3	3	3	3	Intoxication	5 days jail.
8	8	8	8	8	8	8	Intoxication	Suspended.
1	1	1	1	1	1	1	Misdemeanor	30 days jail.
1	1	1	1	1	1	1	Misdemeanor	10 days jail or \$10.
1	1	1	1	1	1	1	Misdemeanor	10 days jail.
1	1	1	1	1	1	1	Misdemeanor	Not stated.
2	2	2	2	2	2	2	Misdemeanor	Suspended.
4	4	4	4	4	4	4	Petit larceny	60 days jail and \$25.
1	1	1	1	1	1	1	Petit larceny	25 days jail.
1	1	1	1	1	1	1	Petit larceny	10 days jail.
1	1	1	1	1	1	1	Vagrancy	60 days jail.
1	1	1	1	1	1	1	Vagrancy	20 days jail.
2	2	2	2	2	2	2	Vagrancy	10 days jail.
Total, 97; men, 92; women, 5.								
Fourth quarter								
1	1	1	1	1	1	1	Assault, third degree	50 days jail or \$50.
1	1	1	1	1	1	1	Assault, third degree	30 days jail.
1	1	1	1	1	1	1	Assault, third degree	25 days jail.
2	2	2	2	2	2	2	Assault, third degree	20 days jail or \$20.
1	1	1	1	1	1	1	Assault, third degree	20 days jail.
1	1	1	1	1	1	1	Assault, third degree	10 days jail.
1	1	1	1	1	1	1	Assault, third degree	5 days jail or \$5.
1	1	1	1	1	1	1	Intoxication	180 days jail and \$10.
3	3	3	3	3	3	3	Intoxication	180 days jail.
3	3	3	3	3	3	3	Intoxication	120 days jail.
2	2	2	2	2	2	2	Intoxication	90 days jail.
3	3	3	3	3	3	3	Intoxication	60 days jail.
1	1	1	1	1	1	1	Intoxication	30 days jail and \$10.
4	4	4	4	4	4	4	Intoxication	30 days jail or \$10.
1	1	1	1	1	1	1	Intoxication	30 days jail.
1	1	1	1	1	1	1	Intoxication	25 days jail or \$10.
4	4	4	4	4	4	4	Intoxication	20 days jail.
8	8	8	8	8	8	8	Intoxication	15 days jail or \$10.
5	5	5	5	5	5	5	Intoxication	15 days jail.
1	1	1	1	1	1	1	Intoxication	10 days jail and \$10.
9	9	9	9	9	9	9	Intoxication	10 days jail or \$15.
2	2	2	2	2	2	2	Intoxication	10 days jail or \$10.
4	4	4	4	4	4	4	Intoxication	10 days jail or \$5.
5	5	5	5	5	5	5	Intoxication	10 days jail.
3	3	3	3	3	3	3	Intoxication	5 days jail or \$5.
8	8	8	8	8	8	8	Intoxication	5 days jail.
1	1	1	1	1	1	1	Misdemeanor	Suspended.
1	1	1	1	1	1	1	Misdemeanor	30 days jail.
1	1	1	1	1	1	1	Misdemeanor	10 days jail or \$10.
1	1	1	1	1	1	1	Misdemeanor	10 days jail.
2	2	2	2	2	2	2	Misdemeanor	Not stated.
4	4	4	4	4	4	4	Petit larceny	Suspended.
1	1	1	1	1	1	1	Petit larceny	60 days jail and \$25.
1	1	1	1	1	1	1	Petit larceny	25 days jail.
1	1	1	1	1	1	1	Petit larceny	10 days jail.
1	1	1	1	1	1	1	Vagrancy	60 days jail.
1	1	1	1	1	1	1	Vagrancy	20 days jail.
2	2	2	2	2	2	2	Vagrancy	10 days jail.

TABLE K — COUNTY OF OTSEGO

Number of convictions	When Convicted	Males	Females	Offense	Sentence
2	First quarter	2	.....	Intoxication	3 months penitentiary.
1		1	.....	Intoxication	2 months penitentiary.
1		1	.....	Intoxication	130 days jail.
3		3	.....	Intoxication	90 days jail.
3		3	.....	Intoxication	60 days jail.
1		1	.....	Intoxication	30 days jail.
1		1	.....	Intoxication	15 days jail.
2		2	.....	Intoxication	10 days jail or \$5.
0		0	.....	Intoxication	10 days jail.
1		1	.....	Intoxication	5 days jail or \$5.
1		1	.....	Intoxication	5 days jail.
1		1	.....	Intoxication	3 days jail or \$3.
1		1	.....	Intoxication	3 days jail.
1		1	.....	Intoxication	Fined \$5.
2		2	.....	Intoxication	Not stated.
4		4	.....	Intoxication	Suspended.
1		1	.....	Misdemeanor	15 days jail or \$12.
1		1	.....	Misdemeanor	Fined \$100.
1		1	.....	Petit larceny	8 days jail or \$8.
1		1	.....	Petit larceny	Suspended.
1		1	.....	Vagrancy	3 months penitentiary.
2		2	.....	Vagrancy	Adjudged vagrants.
Total, 38; men, 38; women, 0.					
1	Second quarter	1	.....	Assault, third degree.	180 days jail.
1		1	.....	Assault, third degree.	10 days jail or \$10.
2		2	.....	Assault, third degree.	Fined \$20.
1		1	.....	Assault, third degree.	Fined \$5.
4		3	1	Assault, third degree.	Suspended.
1		1	.....	Intoxication	2 months penitentiary.
1		1	.....	Intoxication	90 days jail.
1		1	.....	Intoxication	60 days jail.
1		1	.....	Intoxication	40 days jail.
1		1	.....	Intoxication	30 days jail and \$10.

14	Intoxication	.....	30 days jail.
1	Intoxication	.....	20 days jail and \$3.
2	Intoxication	.....	20 days jail.
1	Intoxication	.....	15 days jail.
2	Intoxication	.....	10 days jail or \$10.
1	Intoxication	.....	10 days jail or \$5.
6	Intoxication	.....	10 days jail.
4	Intoxication	.....	5 days jail or \$5.
1	Intoxication	.....	5 days jail.
1	Intoxication	.....	3 days jail or \$3.
1	Intoxication	.....	1 day jail.
4	Intoxication	.....	Fined \$10.
8	Intoxication	.....	Fined \$5.
6	Intoxication	.....	Fined \$3.
1	Intoxication	.....	Fined \$2.35.
2	Intoxication	.....	Fined \$2.
2	Intoxication	.....	Not stated.
1	Intoxication	.....	Probation.
51	Intoxication	.....	Suspended.
1	Misdemeanor	.....	40 days jail.
1	Misdemeanor	.....	30 days jail.
1	Misdemeanor	.....	Fined \$30.
1	Misdemeanor	.....	Fined \$25.
1	Misdemeanor	.....	Fined \$10.
3	Misdemeanor	.....	Fined \$5.
.....	Misdemeanor	.....	Asylum.
1	Misdemeanor	.....	Not stated.
1	Misdemeanor	.....	State Industrial School.
3	Misdemeanor	.....	Suspended.
8	Misdemeanor	.....	60 days jail.
1	Petit larceny	.....	10 days jail or \$10.
3	Petit larceny	.....	Fined \$30.
1	Petit larceny	.....	Fined \$10.
3	Petit larceny	.....	Fined \$5.
2	Petit larceny	.....	Suspended.
2	Petit larceny	.....	Not stated.
1	Vagrancy	.....	60 days jail.
1	Violation Liquor Tax Law.	.....	Fined \$10.
1	Violation Liquor Tax Law.	.....	Suspended.
1	Violation Liquor Tax Law.	.....	Suspended.
Total, 161; men, 158; women, 3.			
2	Assault, third degree.	.....	20 days jail or \$20.
3	Intoxication	.....	3 months penitentiary.
1	Intoxication	.....	180 days jail.
2	Intoxication	.....	90 days jail.
1	Intoxication	.....	60 days jail.
Third quarter			
2	Assault, third degree.	.....	20 days jail or \$20.
3	Intoxication	.....	3 months penitentiary.
1	Intoxication	.....	180 days jail.
2	Intoxication	.....	90 days jail.
1	Intoxication	.....	60 days jail.

1	Assault, third degree.	.....	Fined \$15.
1	Assault, third degree.	.....	Fined \$10.
1	Assault, third degree.	.....	Fined \$5.
6	Assault, third degree.	.....	Suspended.
1	Intoxication	.....	4 months penitentiary.
3	Intoxication	.....	3 months penitentiary.
1	Intoxication	.....	2 months penitentiary.
1	Intoxication	.....	180 days jail.
1	Intoxication	.....	130 days jail.
1	Intoxication	.....	120 days jail.
1	Intoxication	.....	90 days jail.
1	Intoxication	.....	60 days jail and \$5.
1	Intoxication	.....	60 days jail.
3	Intoxication	.....	40 days jail.
4	Intoxication	.....	30 days jail and \$5.
1	Intoxication	.....	30 days jail.
4	Intoxication	.....	20 days jail and \$5.
1	Intoxication	.....	20 days jail and \$2.
1	Intoxication	.....	20 days jail.
2	Intoxication	.....	15 days jail.
2	Intoxication	.....	10 days jail and \$10.
1	Intoxication	.....	10 days jail and \$5.
2	Intoxication	.....	10 days jail and \$1.80.
1	Intoxication	.....	10 days jail or \$10.
5	Intoxication	.....	10 days jail or \$5.
4	Intoxication	.....	10 days jail.
2	Intoxication	.....	6 days jail.
1	Intoxication	.....	5 days jail or \$5.
6	Intoxication	.....	5 days jail.
2	Intoxication	.....	4 days jail.
1	Intoxication	.....	Fined \$10.
4	Intoxication	.....	Fined \$8.
2	Intoxication	.....	Fined \$7.
6	Intoxication	.....	Fined \$5.
1	Intoxication	.....	Fined \$4.26.
1	Intoxication	.....	Fined \$4.
3	Intoxication	.....	Fined \$3.
6	Intoxication	.....	Fined \$2.
3	Intoxication	.....	Fined \$1.
1	Intoxication	.....	Not stated.
8	Intoxication	.....	Suspended.
103	Intoxication	.....	40 days jail or \$40.
1	Misdemeanor	.....	20 days jail.
3	Misdemeanor	.....	10 days jail or \$10.
2	Misdemeanor	.....	Fined \$50.
2	Misdemeanor	.....	Fined \$30.
1	Misdemeanor	.....	Fined \$20.
2	Misdemeanor	.....

TABLE K — COUNTY OF OTSEGO — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	Third quarter	2	..	Intoxication	40 days jail.
9		9	..	Intoxication	30 days jail.
4		4	..	Intoxication	20 days jail.
1		1	..	Intoxication	15 days jail.
1		1	..	Intoxication	12 days jail.
1		1	..	Intoxication	10 days jail and \$3.
1		1	..	Intoxication	10 days jail or \$5.
1		1	..	Intoxication	10 days jail.
2		2	..	Intoxication	5 days jail or \$5.
2		2	..	Intoxication	5 days jail or \$3.
3		3	..	Intoxication	5 days jail.
2		2	..	Intoxication	3 days jail or \$3.
3		3	..	Intoxication	Fined \$10.
1		1	..	Intoxication	Fined \$5.
1		1	..	Intoxication	Fined \$3.
3		3	..	Intoxication	Fined \$2.
3		3	..	Intoxication	Banished.
1		1	..	Intoxication	Not stated.
3		3	..	Intoxication	Suspended.
1		1	..	Intoxication	2 months penitentiary.
1		1	..	Misdemeanor	30 days jail.
1		1	..	Misdemeanor	Fined \$10.
4		4	..	Misdemeanor	Fined \$5.
2		2	..	Misdemeanor	Fined \$3.
1		1	..	Misdemeanor	Adjudged disorderly persons.
3		3	..	Misdemeanor	Bond required; not stated.
1		1	..	Misdemeanor	6 months penitentiary.
2		2	..	Misdemeanor	5 months penitentiary.
1		1	..	Petit larceny	60 days jail.
1		1	..	Petit larceny	30 days jail.
1		1	..	Petit larceny	Fined \$10.
3		3	..	Petit larceny	Fined \$5.
2		2	..	Petit larceny	30 days jail.
2		2	..	Vagrancy	Not stated.
3		3	..	Vagrancy	Not stated.

Total, 102: men, 102: women, 0.

TABLE K — COUNTY OF OTSEGO — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Fourth quarter	1	.....	Misdemeanor	Fined \$10.
1		1	.....	Misdemeanor	Fined \$8.
8		8	.....	Misdemeanor	Fined \$5.
2		1	1	Misdemeanor	Adjudged disorderly persons.
2		2	.....	Misdemeanor	Asylum.
1		1	.....	Misdemeanor	Not stated.
19		17	2	Misdemeanor	Suspended.
1		1	.....	Petit larceny	90 days jail.
1		1	.....	Petit larceny	30 days jail and \$10.
2		.....	2	Petit larceny	10 days jail.
13		10	3	Petit larceny	Fined \$10.
6		3	3	Petit larceny	Fined \$5.
1		1	.....	Petit larceny	Probation.
1		1	.....	Petit larceny	Not stated.
4		4	.....	Petit larceny	Suspended.
1		1	.....	Petit larceny	30 days jail.
2		2	.....	Vagrancy	Adjudged vagrants.
1		1	.....	Vagrancy	Not stated.

Total, 282; men, 268; women, 14.

COUNTY OF PUTNAM

1	First quarter	1	.....	Intoxication	60 days jail.
37		37	.....	Intoxication	30 days jail.
17		17	.....	Intoxication	20 days jail.
2		2	.....	Intoxication	15 days jail.
2		2	.....	Intoxication	10 days jail.
22		21	1	Intoxication	Suspended.
1		1	.....	Misdemeanor	6 months penitentiary.
2		2	.....	Vagrancy	Not stated.

Total, 84; men, 83; women, 1.

1	1	Assault, third degree	Suspended.
21	21	Intoxication	30 days jail.
14	14	Intoxication	20 days jail.
1	1	Intoxication	Fined \$10.
1	1	Intoxication	Fined \$3.
14	14	Intoxication	Suspended.
1	1	Misdemeanor	180 days jail and \$50.
5	5	Misdemeanor	Suspended.
1	1	Petit larceny	Suspended.
1	1	Vagrancy	Not stated.
		Total, 61; men, 61; women, 0.	
1	1	Intoxication	180 days jail.
1	1	Intoxication	30 days jail.
2	2	Intoxication	Suspended.
		Total, 4; men, 4; women, 0.	
1	1	Assault, third degree	90 days penitentiary.
1	1	Assault, third degree	60 days penitentiary.
2	2	Misdemeanor	Suspended.
		Total, 4; men, 4; women, 0.	

COUNTY OF QUEENS

1	1	Assault, third degree	60 days jail.
1	1	Assault, third degree	30 days jail or \$100.
1	1	Assault, third degree	20 days jail or \$50.
1	1	Assault, third degree	10 days jail or \$50.
2	2	Assault, third degree	10 days jail or \$25.
1	1	Assault, third degree	Not stated.
1	1	Assault, third degree	Probation.
4	4	Assault, third degree	Suspended.
2	2	Misdemeanor	Penitentiary.
2	2	Misdemeanor	180 days jail.
1	1	Misdemeanor	90 days jail or \$500.
		Misdemeanor	90 days jail.
		Misdemeanor	60 days jail.
		Misdemeanor	30 days jail or \$25.
		Misdemeanor	30 days jail.
		Misdemeanor	10 days jail or \$50.
3	3	Misdemeanor	5 days jail or \$25.
1	1	Misdemeanor	5 days jail or \$15.
1	1	Misdemeanor	2 days jail or \$10.

TABLE K — COUNTY OF QUEENS — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
22	First quarter	2	.....	Misdemeanor	Asylum.
2		2	.....	Misdemeanor	Not stated.
9		9	.....	Misdemeanor	Probation.
8		8	.....	Misdemeanor	Suspended.
4		4	.....	Petit larceny	Penitentiary.
2		2	.....	Petit larceny	180 days jail.
1		1	.....	Petit larceny	60 days jail.
3		3	.....	Petit larceny	30 days jail.
1		1	.....	Petit larceny	Not stated.
5		5	.....	Petit larceny	Probation.
3		3	.....	Petit larceny	Suspended.
16		16	.....	Violation Liquor Tax Law	2 days jail or \$10.
1		1	.....	Violation Liquor Tax Law	Suspended.
Total, 85; men, 82; women, 3.					
1	Second quarter	1	.....	Assault, third degree	Penitentiary.
1		1	.....	Assault, third degree	90 days jail.
1		1	.....	Assault, third degree	30 days jail.
1		1	.....	Assault, third degree	20 days jail.
2		2	.....	Assault, third degree	15 days jail.
1		1	.....	Assault, third degree	10 days jail or \$50.
1		1	.....	Assault, third degree	10 days jail.
1		1	.....	Assault, third degree	5 days jail or \$15.
1		1	.....	Assault, third degree	2 days jail or \$10.
1		1	.....	Assault, third degree	New York City reformatory.
2		2	.....	Assault, third degree	Probation.
1		1	.....	Assault, third degree	Suspended.
5		5	.....	Misdemeanor	Penitentiary.
3		3	.....	Misdemeanor	90 days jail.
4		4	.....	Misdemeanor	60 days jail.
4		4	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	20 days jail or \$50.
2		2	.....	Misdemeanor	20 days jail.
4		4	.....	Misdemeanor	15 days jail.
1		1	.....	Misdemeanor	10 days jail or \$25.

TABLE K — COUNTY OF QUEENS — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	.....	Petit larceny	10 days jail.
1		1	.....	Petit larceny	5 days jail or \$15.
1		1	.....	Petit larceny	Fined \$50.
1		1	.....	Petit larceny	Asylum.
3		3	.....	Petit larceny	New York City reformatory.
14		13	1	Petit larceny	Probation.
4		4	.....	Petit larceny	Suspended.
11		10	1	Violation Liquor Tax Law.....	2 days jail or \$10.
Total, 128; men, 124; women, 4.					
1	Fourth quarter	1	.....	Assault, third degree	60 days jail.
4		4	.....	Assault, third degree	30 days jail.
1		1	.....	Assault, third degree	5 days jail or \$25.
1		1	.....	Assault, third degree	2 days jail or \$10.
1		1	.....	Assault, third degree	New York City reformatory.
2		2	.....	Assault, third degree	Suspended; probation.
6		6	.....	Assault, third degree	Suspended.
3		3	.....	Misdemeanor	Penitentiary.
2		2	.....	Misdemeanor	90 days jail.
2		2	.....	Misdemeanor	30 days jail or \$100.
2		2	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	10 days jail or \$50.
1		1	.....	Misdemeanor	10 days jail or \$35.
1		1	.....	Misdemeanor	10 days jail or \$25.
3		3	.....	Misdemeanor	5 days jail or \$25.
1		1	.....	Misdemeanor	5 days jail or \$20.
1		1	.....	Misdemeanor	2 days jail or \$10.
1		1	.....	Misdemeanor	New York City reformatory.
5		5	.....	Misdemeanor	Probation.
3		3	.....	Misdemeanor	Suspended; probation.
22		22	.....	Misdemeanor	Suspended.
5		5	.....	Petit larceny	Penitentiary.
1		1	.....	Petit larceny	180 days jail.
1		1	.....	Petit larceny	90 days jail.
1		1	.....	Petit larceny	60 days jail.

2	Petit larceny	0	.....	Petit larceny	30 days jail.
2	Petit larceny	2	.....	Petit larceny	20 days jail.
1	Petit larceny	1	.....	Petit larceny	15 days jail.
2	Petit larceny	2	.....	Petit larceny	10 days jail or \$50.
2	Petit larceny	2	.....	Petit larceny	Asylum.
10	Petit larceny	10	.....	Petit larceny	Not stated.
3	Petit larceny	3	.....	Petit larceny	Suspended ; probation.
14	Petit larceny	14	.....	Petit larceny	Suspended.
19	Violation Liquor Tax Law	19	.....	Violation Liquor Tax Law	2 days jail or \$10.
2	Violation Liquor Tax Law	1	.....	Violation Liquor Tax Law	Suspended.

Total, 129; men, 128; women, 1.

COUNTY OF RENSSELAER

1	Assault, third degree	1	.....	Assault, third degree	30 days jail or \$3.
1	Assault, third degree	1	.....	Assault, third degree	10 days jail.
5	Assault, third degree	1	.....	Assault, third degree	Suspended.
1	Intoxication	1	.....	Intoxication	180 days jail.
4	Intoxication	4	.....	Intoxication	60 days jail.
1	Intoxication	1	.....	Intoxication	30 days jail and \$10.
4	Intoxication	3	.....	Intoxication	30 days jail.
3	Intoxication	3	.....	Intoxication	10 days jail and \$10.
24	Intoxication	24	.....	Intoxication	10 days jail.
16	Intoxication	16	.....	Intoxication	5 days jail.
1	Intoxication	1	.....	Intoxication	3 days jail.
1	Intoxication	1	.....	Intoxication	2 days jail.
1	Intoxication	1	.....	Intoxication	1 day jail.
5	Intoxication	5	.....	Intoxication	Asylum.
13	Intoxication	13	.....	Intoxication	Suspended.
1	Misdemeanor	1	.....	Misdemeanor	180 days jail.
3	Misdemeanor	3	.....	Misdemeanor	90 days jail.
1	Misdemeanor	1	.....	Misdemeanor	60 days jail.
1	Misdemeanor	1	.....	Misdemeanor	50 days jail or \$50.
1	Misdemeanor	1	.....	Misdemeanor	30 days jail.
6	Misdemeanor	6	.....	Misdemeanor	25 days jail or \$25.
1	Misdemeanor	1	.....	Misdemeanor	15 days jail or \$15.
1	Misdemeanor	1	.....	Misdemeanor	10 days jail or \$10.
4	Misdemeanor	4	.....	Misdemeanor	10 days jail.
3	Misdemeanor	3	.....	Misdemeanor	5 days jail or \$5.
3	Misdemeanor	3	.....	Misdemeanor	Asylum.
2	Misdemeanor	2	.....	Misdemeanor	Bedford reformatory.
27	Misdemeanor	27	.....	Misdemeanor	Suspended.
1	Petit larceny	1	.....	Petit larceny	180 days jail.
1	Petit larceny	1	.....	Petit larceny	90 days jail.
1	Petit larceny	1	.....	Petit larceny	60 days jail.
4	Petit larceny	4	.....	Petit larceny	60 days jail.

TABLE K — COUNTY OF RENSSELAER — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
3		3	.....	Petit larceny	30 days jail.
1		1	.....	Petit larceny	5 days jail.
1		.....	1	Petit larceny	Asylum.
1		.....	.....	Petit larceny	Suspended.
1		1	.....	Vagrancy	180 days jail.
2		2	.....	Vagrancy	60 days jail.
5		5	.....	Vagrancy	30 days jail.
45		40	5	Vagrancy	10 days jail.
5		5	.....	Vagrancy	5 days jail.
12		12	.....	Vagrancy	1 day jail.
1		1	.....	Vagrancy	Asylum.
1		.....	1	Vagrancy	Suspended.
42		41	1	Vagrancy	Suspended.
Total, 379; men, 341; women 38.					
1	Second quarter	1	.....	Assault, third degree	180 days jail.
3		3	.....	Assault, third degree	30 days jail.
1		1	.....	Assault, third degree	25 days jail or \$25.
2		2	.....	Assault, third degree	5 days jail or \$5.
1		1	.....	Assault, third degree	5 days jail.
5		5	.....	Assault, third degree	Suspended.
2		1	1	Intoxication	180 days jail.
1		1	.....	Intoxication	90 days jail.
1		1	.....	Intoxication	60 days jail.
1		1	.....	Intoxication	30 days jail.
11		9	2	Intoxication	20 days jail.
1		1	.....	Intoxication	15 days jail.
1		1	.....	Intoxication	10 days jail or \$10.
1		1	.....	Intoxication	10 days jail.
28		28	.....	Intoxication	5 days jail or \$5.
1		1	.....	Intoxication	5 days jail.
30		28	2	Intoxication	1 day jail.
1		1	.....	Intoxication	Asylum.
5		.....	5	Intoxication	Not stated.
1		1	.....	Intoxication	Suspended.
139		128	11	Misdemeanor	180 days jail.

12	1	Misdemeanor	.....	.....	60 days jail.
1	.....	Misdemeanor	.....	.....	30 days jail or \$30.
3	.....	Misdemeanor	.....	.....	30 days jail.
2	.....	Misdemeanor	.....	.....	25 days jail or \$25.
2	.....	Misdemeanor	.....	.....	15 days jail.
5	.....	Misdemeanor	.....	.....	10 days jail or \$10.
8	.....	Misdemeanor	.....	.....	10 days jail.
2	.....	Misdemeanor	.....	.....	5 days jail or \$5.
7	.....	Misdemeanor	.....	.....	Asylum.
.....	.....	Misdemeanor	.....	.....	Not stated.
1	.....	Misdemeanor	.....	.....	State Industrial School.
2	.....	Misdemeanor	.....	.....	Suspended.
31	.....	Misdemeanor	.....	.....	365 days jail.
1	.....	Petit larceny	.....	.....	180 days jail.
1	.....	Petit larceny	.....	.....	90 days jail.
1	.....	Petit larceny	.....	.....	60 days jail.
5	.....	Petit larceny	.....	.....	30 days jail.
5	.....	Petit larceny	.....	.....	10 days jail or \$10.
2	.....	Petit larceny	.....	.....	180 days jail.
2	.....	Vagrancy	.....	.....	60 days jail.
6	.....	Vagrancy	.....	.....	30 days jail.
74	.....	Vagrancy	.....	.....	10 days jail.
3	.....	Vagrancy	.....	.....	5 days jail.
1	.....	Vagrancy	.....	.....	Almshouse.
1	.....	Vagrancy	.....	.....	Asylum.
1	.....	Vagrancy	.....	.....	Suspended.
12	.....	Vagrancy	.....	.....	Suspended.

Total, 424; men, 387; women, 37.

1	.....	Assault, third degree	.....	.....	60 days jail.
1	.....	Assault, third degree	.....	.....	30 days jail.
1	.....	Assault, third degree	.....	.....	25 days jail or \$25.
4	.....	Assault, third degree	.....	.....	Suspended.
2	.....	Intoxication	.....	.....	180 days jail.
1	.....	Intoxication	.....	.....	60 days jail.
10	.....	Intoxication	.....	.....	30 days jail.
21	.....	Intoxication	.....	.....	10 days jail.
22	.....	Intoxication	.....	.....	5 days jail.
2	.....	Intoxication	.....	.....	2 days jail.
3	.....	Intoxication	.....	.....	1 day jail.
.....	.....	Intoxication	.....	.....	Asylum.
113	.....	Intoxication	.....	.....	Suspended.
14	.....	Intoxication	.....	.....	180 days jail.
4	.....	Misdemeanor	.....	.....	120 days jail.
2	.....	Misdemeanor	.....	.....	60 days jail.
5	.....	Misdemeanor	.....	.....	50 days jail or \$50.
1	.....	Misdemeanor	.....	.....	30 days jail or \$30.
1	.....	Misdemeanor	.....	.....	30 days jail or \$30.

TABLE K — COUNTY OF RENSSELAER — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
3	Third quarter	6	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	25 days jail.
28		28	.....	Misdemeanor	10 days jail.
3		3	.....	Misdemeanor	10 days jail.
8		8	.....	Misdemeanor	5 days jail or \$5.
1		1	.....	Misdemeanor	Not stated.
3		3	.....	Misdemeanor	Fined \$8.
1		.....	7	Misdemeanor	Asylum.
1		.....	.....	Misdemeanor	Not stated.
1		1	.....	Misdemeanor	Suspended.
75		70	5	Misdemeanor	180 days jail.
1		1	.....	Petit larceny	60 days jail.
6		6	.....	Petit larceny	30 days jail.
5		5	.....	Petit larceny	10 days jail.
1		1	.....	Petit larceny	Asylum.
1		1	.....	Petit larceny	Suspended.
3		3	.....	Petit larceny	180 days jail.
2		2	.....	Vagrancy	60 days jail.
3		3	.....	Vagrancy	30 days jail.
15		15	.....	Vagrancy	30 days jail.
1		1	.....	Vagrancy	5 days jail.
1		1	.....	Vagrancy	Asylum.
3		3	.....	Vagrancy	Suspended.
4		4	.....	Vagrancy	Suspended.
Total, 397; men, 358; women, 39.					
1	Fourth quarter	1	.....	Assault, third degree	90 days jail.
1		1	.....	Assault, third degree	10 days jail or \$10.
1		1	.....	Assault, third degree	Fined \$20.
5		4	1	Assault, third degree	Suspended.
1		1	.....	Intoxication	60 days jail.
1		1	.....	Intoxication	30 days jail or \$30.
1		1	.....	Intoxication	30 days jail.
1		1	.....	Intoxication	20 days jail or \$20.
1		1	.....	Intoxication	15 days jail.
1		1	.....	Intoxication	10 days jail.
1		1	.....	Intoxication	5 days jail.
7		7	.....	Intoxication	5 days jail.

TABLE K — COUNTY OF RICHMOND — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
6	Third quarter	1	.....	Petit larceny	Penitentiary.
1		.....	1	Petit larceny	180 days jail.
1		1	.....	Petit larceny	60 days jail.
1		1	.....	Petit larceny	20 days jail.
1		1	.....	Petit larceny	10 days jail.
1		1	.....	Petit larceny	5 days jail or \$15.
7		7	.....	Petit larceny	Probation.
4		4	.....	Petit larceny	Suspended.
2		2	.....	Violation Liquor Tax Law.....	2 days jail or \$10.
		Total, 49; men, 47; women, 2.			
1	Second quarter	1	.....	Assault, third degree.....	Penitentiary.
2		2	.....	Assault, third degree.....	60 days jail.
1		1	.....	Assault, third degree.....	10 days jail.
2		2	.....	Assault, third degree.....	Probation.
5		5	.....	Assault, third degree.....	Suspended.
1		1	.....	Misdemeanor	Penitentiary.
4		4	.....	Misdemeanor	10 days jail or \$50.
1		1	.....	Misdemeanor	5 days jail or \$25.
1		1	.....	Misdemeanor	2 days jail or \$10.
4		4	.....	Misdemeanor	Probation.
5		5	.....	Misdemeanor	Suspended.
2		2	.....	Petit larceny	Penitentiary.
		.....	1	Petit larceny	30 days jail.
4		4	.....	Petit larceny	10 days jail or \$25.
1		1	.....	Petit larceny	10 days jail.
1		1	.....	Petit larceny	5 days jail or \$25.
2		2	.....	Petit larceny	1 day jail or \$5.
4		4	.....	Petit larceny	Probation.
2		2	.....	Petit larceny	Suspended.
		Total, 44; men, 43; women, 1.			
3	Third quarter	3	.....	Assault, third degree.....	30 days jail or \$50.
1		1	.....	Assault, third degree.....	30 days jail.
1		1	.....	Assault, third degree.....	5 days jail or \$25.

1	.....	Misdemeanor	.....	New York penitentiary.
1	.....	Misdemeanor	.....	10 days jail or \$50.
5	.....	Misdemeanor	.....	5 days jail or \$25.
1	.....	Misdemeanor	.....	Probation.
3	.....	Misdemeanor	.....	Suspended.
2	.....	Petit larceny	.....	New York penitentiary.
1	.....	Petit larceny	.....	90 days jail.
1	.....	Petit larceny	.....	30 days jail or \$50.
4	.....	Petit larceny	.....	30 days jail.
1	.....	Petit larceny	.....	25 days jail or \$50.
3	.....	Petit larceny	.....	5 days jail or \$25.
1	.....	Petit larceny	.....	Probation.
8	.....	Petit larceny	.....	Suspended.
2	.....	Violation Liquor Tax Law	.....	2 days jail or \$10.
11	.....		
2	.....		

Total, 43; men, 40; women, 3.

1	.....	Assault, third degree	.....	90 days jail.
2	.....	Assault, third degree	.....	60 days jail.
2	.....	Assault, third degree	.....	30 days jail.
5	.....	Assault, third degree	.....	10 days jail or \$50.
2	.....	Misdemeanor	.....	Penitentiary.
1	.....	Misdemeanor	.....	30 days jail or \$150.
1	.....	Misdemeanor	.....	30 days jail or \$100.
1	.....	Misdemeanor	.....	30 days jail.
1	.....	Misdemeanor	.....	10 days jail or \$50.
1	.....	Misdemeanor	.....	10 days jail or \$25.
3	.....	Misdemeanor	.....	5 days jail or \$25.
1	.....	Misdemeanor	.....	Fined \$100.
1	.....	Misdemeanor	.....	Asylum.
1	.....	Misdemeanor	.....	Probation.
1	.....	Misdemeanor	.....	Suspended.
2	.....	Petit larceny	.....	Penitentiary.
1	.....	Petit larceny	.....	60 days jail.
1	.....	Petit larceny	.....	30 days jail or \$100.
1	.....	Petit larceny	.....	30 days jail or \$50.
2	.....	Petit larceny	.....	15 days jail or \$25.
1	.....	Petit larceny	.....	15 days jail.
5	.....	Petit larceny	.....	10 days jail or \$50.
1	.....	Petit larceny	.....	10 days jail.
2	.....	Petit larceny	.....	5 days jail or \$25.
1	.....	Petit larceny	.....	5 days jail or \$15.
1	.....	Petit larceny	.....	Suspended.
1	.....	Violation Liquor Tax Law	.....	40 days jail or \$200.
1	.....	Violation Liquor Tax Law	.....	2 days jail or \$10.
3	.....		

Total, 46; men, 46; women, 0.

TABLE K — COUNTY OF RICHMOND — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
6	Third quarter	1	.....1	Petit larceny	Penitentiary.
1		.....1	.....	Petit larceny	180 days jail.
1		.....1	.....	Petit larceny	60 days jail.
1		.....1	.....	Petit larceny	20 days jail.
1		.....1	.....	Petit larceny	10 days jail.
1		.....1	.....	Petit larceny	5 days jail or \$15.
7		.....7	.....	Petit larceny	Probation.
4		.....4	.....	Petit larceny	Suspended.
2		.....2	.....	Violation Liquor Tax Law	2 days jail or \$10.
		Total, 49; men, 47; women, 2.			
1	Second quarter	1	.....	Assault, third degree	Penitentiary.
2		.....2	.....	Assault, third degree	60 days jail.
1		.....1	.....	Assault, third degree	10 days jail.
2		.....2	.....	Assault, third degree	Probation.
5		.....5	.....	Assault, third degree	Suspended.
1		.....1	.....	Misdemeanor	Penitentiary.
4		.....4	.....	Misdemeanor	10 days jail or \$50.
1		.....1	.....	Misdemeanor	5 days jail or \$25.
1		.....1	.....	Misdemeanor	2 days jail or \$10.
4		.....4	.....	Misdemeanor	Probation.
5		.....5	.....	Misdemeanor	Suspended.
2		.....2	.....	Petit larceny	Penitentiary.
		.....	.....1	Petit larceny	30 days jail.
		.....4	.....	Petit larceny	10 days jail or \$25.
1		.....1	.....	Petit larceny	10 days jail.
1		.....1	.....	Petit larceny	5 days jail or \$25.
2		.....2	.....	Petit larceny	1 day jail or \$5.
4		.....4	.....	Petit larceny	Probation.
2		.....2	.....	Petit larceny	Suspended.
		Total, 44; men, 43; women, 1.			
3	Third quarter	3	.....	Assault, third degree	30 days jail or \$50.
1		.....1	.....	Assault, third degree	30 days jail.
1		.....1	.....	Assault, third degree	5 days jail or \$25.

1	Misdemeanor	.....	New York penitentiary.
2	Misdemeanor	.....	10 days jail or \$50.
5	Misdemeanor	.....	5 days jail or \$25.
1	Misdemeanor	.....	Probation.
3	Misdemeanor	.....	Suspended.
2	Petit larceny	.....	New York penitentiary.
1	Petit larceny	.....	90 days jail.
1	Petit larceny	.....	30 days jail or \$50.
4	Petit larceny	.....	30 days jail.
1	Petit larceny	.....	25 days jail or \$50.
3	Petit larceny	.....	5 days jail or \$25.
1	Petit larceny	.....	Probation.
8	Petit larceny	.....	Suspended.
2	Violation Liquor Tax Law	.....	2 days jail or \$10.
Total, 43; men, 40; women, 3.			

Fourth quarter	.....	Assault, third degree	.....	90 days jail.
1	.....	Assault, third degree	.....	60 days jail.
2	.....	Assault, third degree	.....	30 days jail.
2	.....	Assault, third degree	.....	10 days jail or \$50.
5	.....	Misdemeanor	.....	Penitentiary.
2	.....	Misdemeanor	.....	30 days jail or \$150.
1	.....	Misdemeanor	.....	30 days jail or \$100.
1	.....	Misdemeanor	.....	30 days jail.
1	.....	Misdemeanor	.....	10 days jail or \$50.
1	.....	Misdemeanor	.....	10 days jail or \$25.
1	.....	Misdemeanor	.....	5 days jail or \$25.
3	.....	Misdemeanor	.....	Fined \$100.
1	.....	Misdemeanor	.....	Asylum.
1	.....	Misdemeanor	.....	Probation.
1	.....	Misdemeanor	.....	Suspended.
2	.....	Misdemeanor	.....	Penitentiary.
1	.....	Petit larceny	.....	60 days jail.
1	.....	Petit larceny	.....	30 days jail or \$100.
1	.....	Petit larceny	.....	30 days jail or \$50.
2	.....	Petit larceny	.....	15 days jail or \$25.
1	.....	Petit larceny	.....	15 days jail.
5	.....	Petit larceny	.....	10 days jail or \$50.
1	.....	Petit larceny	.....	10 days jail.
2	.....	Petit larceny	.....	5 days jail or \$25.
1	.....	Petit larceny	.....	5 days jail or \$15.
1	.....	Petit larceny	.....	Suspended.
1	.....	Petit larceny	.....	40 days jail or \$200.
1	.....	Violation Liquor Tax Law	.....	2 days jail or \$10.
3	.....	Violation Liquor Tax Law	.....
Total, 46; men, 46; women, 0.				

TABLE K — COUNTY OF ROCKLAND

Number of convictions		WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
First quarter						
1	1		1	.....	Assault, third degree.....	10 days jail or \$10.
1	1		1	.....	Intoxication	90 days jail.
2	2		2	.....	Intoxication	30 days jail.
1	1		1	.....	Intoxication	10 days jail.
1	1		1	.....	Intoxication	5 days jail or \$5.
1	1		1	.....	Misdemeanor	6 months penitentiary.
1	1		1	.....	Misdemeanor	5 months penitentiary.
1	1		1	.....	Misdemeanor	4 months penitentiary.
3	3		3	.....	Misdemeanor	90 days jail.
6	6		6	.....	Misdemeanor	60 days jail.
2	2		2	.....	Misdemeanor	30 days jail.
1	1		1	.....	Misdemeanor	5 days jail or \$5.
4	4		4	.....	Misdemeanor	Fined \$25.
2	2		2	.....	Misdemeanor	Fined \$5.
2	2		2	.....	Misdemeanor	Fined \$2.50.
1	1		1	.....	Misdemeanor	Asylum.
1	1		1	.....	Misdemeanor	Bond required \$200.
1	1		1	.....	Misdemeanor	Elmira reformatory.
1	1		1	.....	Misdemeanor	Suspended.
1	1		1	.....	Petit larceny	120 days jail.
3	3		3	.....	Petit larceny	2 days jail or \$2.
4	4		4	.....	Petit larceny	Asylum.
1	1		1	.....	Petit larceny	Not stated.
2	2		2	.....	Petit larceny	Suspended.
2	2		2	.....	Vagrancy	30 days jail.
			Total, 47; men, 42; women, 5.			
Second quarter						
2	2		2	.....	Assault, third degree.....	60 days jail.
1	1		1	.....	Assault, third degree.....	10 days jail or \$10.
1	1		1	.....	Intoxication	6 months penitentiary.
2	2		2	.....	Intoxication	90 days jail.
6	6		6	.....	Intoxication	30 days jail.
3	3		3	.....	Intoxication	10 days jail.
2	2		2	.....	Misdemeanor	180 days jail.
1	1		1	.....	Misdemeanor	120 days jail.

2	3	1	1	3	5	1	1	3	1	1	1	1	1	1	1	Misdemeanor	90 days jail.
2	3	1	1	3	5	1	1	3	1	1	1	1	1	1	1	Misdemeanor	60 days jail.
1	1	1	1	3	5	1	1	3	1	1	1	1	1	1	1	Misdemeanor	30 days jail or \$30.
1	1	1	1	3	5	1	1	3	1	1	1	1	1	1	1	Misdemeanor	30 days jail.
1	1	1	1	3	5	1	1	3	1	1	1	1	1	1	1	Misdemeanor	10 days jail or \$10.
1	1	1	1	3	5	1	1	3	1	1	1	1	1	1	1	Misdemeanor	10 days jail.
1	1	1	1	3	5	1	1	3	1	1	1	1	1	1	1	Misdemeanor	5 days jail or \$5.
1	1	1	1	3	5	1	1	3	1	1	1	1	1	1	1	Misdemeanor	Fined \$10.
1	1	1	1	3	5	1	1	3	1	1	1	1	1	1	1	Misdemeanor	Fined \$5.
1	1	1	1	3	5	1	1	3	1	1	1	1	1	1	1	Misdemeanor	Not stated.
1	1	1	1	3	5	1	1	3	1	1	1	1	1	1	1	Misdemeanor	3 months penitentiary.
1	1	1	1	3	5	1	1	3	1	1	1	1	1	1	1	Petit larceny	60 days jail.
1	1	1	1	3	5	1	1	3	1	1	1	1	1	1	1	Petit larceny	60 days jail.
1	1	1	1	3	5	1	1	3	1	1	1	1	1	1	1	Vagrancy	60 days jail.
Total, 42; men, 41; women, 1.																	
2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Assault, third degree	180 days jail.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Assault, third degree	120 days jail.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Assault, third degree	30 days jail or \$30.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Assault, third degree	30 days jail or \$20.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Assault, third degree	Fined \$10.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Intoxication	30 days jail.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Intoxication	10 days jail or \$10.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Intoxication	10 days jail.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Intoxication	Fined \$10.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Misdemeanor	90 days jail.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Misdemeanor	60 days jail or \$25.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Misdemeanor	60 days jail.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Misdemeanor	50 days jail or \$50.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Misdemeanor	30 days jail.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Misdemeanor	10 days jail or \$10.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Misdemeanor	10 days jail.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Misdemeanor	3 days jail or \$3.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Misdemeanor	Fined \$10.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Misdemeanor	Fined \$5.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Misdemeanor	Asylum.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Misdemeanor	Not stated.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Misdemeanor	Suspended.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Petit larceny	90 days jail.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Petit larceny	30 days jail or \$30.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Petit larceny	30 days jail.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Vagrancy	90 days jail.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Vagrancy	Bedford reformatory.
Total, 48; men, 43; women, 5.																	
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Assault, third degree	30 days jail.
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Assault, third degree	15 days jail or \$15.

2	Assault, third degree	10 days jail and \$10.
2	Assault, third degree	10 days jail or \$10.
1	Assault, third degree	10 days jail.
3	Assault, third degree	5 days jail or \$5.
1	Assault, third degree	Fined \$10.
1	Assault, third degree	Bond required \$200.
1	Assault, third degree	Probation.
1	Assault, third degree	Suspended.
1	Intoxication	180 days jail and \$10.
1	Intoxication	180 days jail and \$3.
1	Intoxication	180 days jail.
3	Intoxication	90 days jail.
1	Intoxication	60 days jail.
2	Intoxication	40 days jail and \$10.
1	Intoxication	40 days jail.
1	Intoxication	30 days jail.
10	Intoxication	20 days jail and \$5.
1	Intoxication	20 days jail.
6	Intoxication	10 days jail and \$10.
4	Intoxication	10 days jail and \$5.
34	Intoxication	10 days jail and \$3.
28	Intoxication	10 days jail or \$10.
7	Intoxication	10 days jail or \$2.
1	Intoxication	10 days jail.
6	Intoxication	5 days jail or \$5.
14	Intoxication	1 day jail.
2	Intoxication	Fined \$10.
2	Intoxication	Fined \$8.
1	Intoxication	Fined \$7.
1	Intoxication	Fined \$5.
9	Intoxication	Fined \$3.
2	Intoxication	Fined \$2.
3	Intoxication	Asylum.
1	Intoxication	Suspended; probation.
3	Intoxication	Suspended.
38	Intoxication	180 days jail.
1	Misdemeanor	60 days jail and \$50.
1	Misdemeanor	60 days jail.
1	Misdemeanor	50 days jail or \$50.
2	Misdemeanor	30 days jail and \$50.
2	Misdemeanor	30 days jail and \$25.
1	Misdemeanor	30 days jail.
3	Misdemeanor	20 days jail and \$50.
1	Misdemeanor	20 days jail and \$20.
1	Misdemeanor	20 days jail.
1	Misdemeanor	10 days jail and \$20.
1	Misdemeanor	10 days jail and \$15.
2	Misdemeanor	10 days jail and \$10.
7	Misdemeanor	10 days jail and \$10.

TABLE K—COUNTY OF ST. LAWRENCE—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	First quarter	2	.....	Misdemeanor	10 days jail and \$5.
1		1	.....	Misdemeanor	10 days jail or \$25.
6		6	.....	Misdemeanor	10 days jail or \$10.
4		3	1	Misdemeanor	5 days jail or \$5.
1		1	.....	Misdemeanor	Fined \$75.
1		1	.....	Misdemeanor	Fined \$25.
4		4	.....	Misdemeanor	Fined \$10.
2		2	.....	Misdemeanor	Fined \$5.
3		3	.....	Misdemeanor	Asylum.
4		4	.....	Misdemeanor	Not stated.
2		2	.....	Misdemeanor	State Industrial School.
10		10	.....	Misdemeanor	Suspended.
2		2	.....	Petit larceny	120 days jail.
3		3	.....	Petit larceny	90 days jail.
1		1	.....	Petit larceny	60 days jail.
1		1	.....	Petit larceny	50 days jail or \$50.
1		1	.....	Petit larceny	25 days jail or \$25.
1		1	.....	Petit larceny	15 days jail.
1		1	.....	Petit larceny	10 days jail or \$10.
1		1	.....	Vagrancy	Asylum.
23		23	.....	Vagrancy	Suspended.
23	Total, 307; men, 303; women, 4.				
1	Second quarter .....	.....	1	Assault, third degree.....	30 days jail and \$50.
1		1	.....	Assault, third degree.....	30 days jail and \$25.
1		1	.....	Assault, third degree.....	25 days jail or \$25.
3		3	.....	Assault, third degree.....	20 days jail and \$25.
1		1	.....	Assault, third degree.....	10 days jail and \$50.
6		6	.....	Assault, third degree.....	10 days jail and \$10.
2		2	.....	Assault, third degree.....	10 days jail or \$5.
1		1	.....	Assault, third degree.....	5 days jail or \$5.
5		5	.....	Assault, third degree.....	Fined \$22.50.
1		1	.....	Assault, third degree.....	Fined \$15.
1		1	.....	Assault, third degree.....	Suspended; probation.
1		1	.....	Assault, third degree.....	Suspended.
1		.....	.....	Assault, third degree.....	
1		.....	.....	Assault, third degree.....	
1		.....	.....	Assault, third degree.....	

1	1	Intoxication	.....	180 days jail.
1	1	Intoxication	.....	120 days jail.
1	1	Intoxication	.....	90 days jail and \$5.
3	2	Intoxication	.....	90 days jail.
3	3	Intoxication	.....	60 days jail.
1	1	Intoxication	.....	50 days jail.
14	14	Intoxication	.....	30 days jail.
1	1	Intoxication	.....	20 days jail and \$10.
1	1	Intoxication	.....	20 days jail.
2	2	Intoxication	.....	15 days jail.
5	5	Intoxication	.....	10 days jail and \$10.
26	26	Intoxication	.....	10 days jail and \$5.
11	11	Intoxication	.....	10 days jail and \$3.
6	6	Intoxication	.....	10 days jail or \$10.
6	6	Intoxication	.....	10 days jail.
1	1	Intoxication	.....	6 days jail or \$6.
7	7	Intoxication	.....	5 days jail or \$5.
1	1	Intoxication	.....	5 days jail.
5	5	Intoxication	.....	3 days jail or \$3.
1	1	Intoxication	.....	3 days jail.
1	1	Intoxication	.....	1 day jail.
2	2	Intoxication	.....	Fined \$10.
3	3	Intoxication	.....	Fined \$5.
4	4	Intoxication	.....	Fined \$3.
1	1	Intoxication	.....	Fined \$2.
25	25	Intoxication	.....	Suspended.
1	1	Misdemeanor	.....	90 days jail.
9	9	Misdemeanor	.....	60 days jail and \$50.
1	1	Misdemeanor	.....	60 days jail and \$15.
3	3	Misdemeanor	.....	60 days jail.
2	2	Misdemeanor	.....	50 days jail or \$50.
1	1	Misdemeanor	.....	30 days jail and \$50.
3	3	Misdemeanor	.....	30 days jail.
2	2	Misdemeanor	.....	20 days jail and \$25.
1	1	Misdemeanor	.....	20 days jail and \$10.
2	2	Misdemeanor	.....	10 days jail and \$25.
10	10	Misdemeanor	.....	10 days jail and \$10.
6	6	Misdemeanor	.....	10 days jail and \$5.
4	4	Misdemeanor	.....	10 days jail or \$10.
2	2	Misdemeanor	.....	10 days jail.
1	1	Misdemeanor	.....	5 days jail and \$5.
1	1	Misdemeanor	.....	5 days jail or \$5.
1	1	Misdemeanor	.....	4 days jail or \$4.
1	1	Misdemeanor	.....	Fined \$40.
1	1	Misdemeanor	.....	Fined \$15.
1	1	Misdemeanor	.....	Fined \$10.
9	9	Misdemeanor	.....	Fined \$5.
5	5	Misdemeanor	.....	Asylum.

TABLE K—COUNTY OF ST. LAWRENCE—(Continued)

Number of convictions	WHEN CONVICTED	SEX		OFFENSE	SENTENCE
		Males	Females		
6	Second quarter	6	.....	Misdemeanor	Not stated.
2		2	.....	Misdemeanor	State Industrial School.
1		1	.....	Misdemeanor	Suspended; probation.
4		3	1	Misdemeanor	Suspended.
1		1	.....	Petit larceny	90 days jail and \$15.
1		1	.....	Petit larceny	90 days jail.
1		1	.....	Petit larceny	60 days jail and \$50.
1		1	.....	Petit larceny	60 days jail.
2		2	.....	Petit larceny	30 days jail and \$50.
7		7	.....	Petit larceny	30 days jail and \$25.
1		1	.....	Petit larceny	10 days jail and \$10.
1		1	.....	Vagrancy	Suspended.
11		10	1	Total, 266; men, 252; women, 14.	
1	Third quarter	1	.....	Assault, third degree	90 days jail.
3		3	.....	Assault, third degree	60 days jail and \$50.
1		1	.....	Assault, third degree	60 days jail and \$25.
1		1	.....	Assault, third degree	60 days jail and \$15.
1		1	.....	Assault, third degree	30 days jail and \$50.
2		2	.....	Assault, third degree	30 days jail.
1		1	.....	Assault, third degree	25 days jail or \$25.
1		1	.....	Assault, third degree	20 days jail and \$20.
1		1	.....	Assault, third degree	20 days jail or \$20.
1		1	.....	Assault, third degree	20 days jail.
3		3	.....	Assault, third degree	10 days jail and \$10.
1		1	.....	Assault, third degree	10 days jail and \$5.
1		1	.....	Assault, third degree	10 days jail or \$10.
1		1	.....	Assault, third degree	5 days jail or \$5.
1		1	.....	Assault, third degree	Fined \$10.
1		1	.....	Assault, third degree	Probation.
1		1	.....	Assault, third degree	Suspended; probation.
1		1	.....	Intoxication	180 days jail and \$10.
1		1	.....	Intoxication	180 days jail and \$3.
3		3	.....	Intoxication	180 days jail.
1		1	.....	Intoxication	120 days jail.

1	Intoxication	.....	90 days jail and \$3.
7	Intoxication	.....	90 days jail.
1	Intoxication	.....	60 days jail and \$10.
6	Intoxication	.....	60 days jail.
1	Intoxication	.....	53 days jail.
1	Intoxication	.....	53 days jail.
1	Intoxication	.....	30 days jail and \$10.
11	Intoxication	.....	30 days jail.
1	Intoxication	.....	20 days jail and \$10.
7	Intoxication	.....	20 days jail.
1	Intoxication	.....	12 days jail.
1	Intoxication	.....	10 days jail and \$15.
10	Intoxication	.....	10 days jail and \$10.
35	Intoxication	.....	10 days jail and \$5.
17	Intoxication	.....	10 days jail and \$3.
8	Intoxication	.....	10 days jail or \$10.
1	Intoxication	.....	10 days jail or \$5.
5	Intoxication	.....	10 days jail.
1	Intoxication	.....	6 days jail or \$6.
10	Intoxication	.....	5 days jail or \$5.
2	Intoxication	.....	5 days jail.
13	Intoxication	.....	3 days jail or \$3.
8	Intoxication	.....	Fined \$10.
9	Intoxication	.....	Fined \$5.
2	Intoxication	.....	Fined \$3.
1	Intoxication	.....	Fined \$2.50.
22	Intoxication	.....	Not stated.
1	Intoxication	.....	Suspended.
1	Misdemeanor	.....	180 days jail and \$7.
4	Misdemeanor	.....	180 days jail.
4	Misdemeanor	.....	120 days jail and \$50.
2	Misdemeanor	.....	120 days jail.
1	Misdemeanor	.....	90 days jail and \$10.
1	Misdemeanor	.....	90 days jail or \$5.
2	Misdemeanor	.....	60 days jail.
2	Misdemeanor	.....	50 days jail or \$50.
1	Misdemeanor	.....	50 days jail.
4	Misdemeanor	.....	30 days jail and \$50.
3	Misdemeanor	.....	30 days jail and \$25.
1	Misdemeanor	.....	30 days jail and \$15.
2	Misdemeanor	.....	30 days jail and \$10.
2	Misdemeanor	.....	30 days jail.
6	Misdemeanor	.....	25 days jail or \$25.
2	Misdemeanor	.....	20 days jail and \$25.
1	Misdemeanor	.....	20 days jail and \$10.
3	Misdemeanor	.....	20 days jail.
1	Misdemeanor	.....	15 days jail.
12	Misdemeanor	.....	10 days jail and \$10.

TABLE K — COUNTY OF ST. LAWRENCE — (Continued)

Number of convictions	WHEN CONVICTED	SEX		OFFENSE	SENTENCE
		Males	Females		
7	Third quarter	7	.....	Misdemeanor	10 days jail and \$5.
1		1	.....	Misdemeanor	10 days jail or \$50.
19		19	.....	Misdemeanor	10 days jail or \$10.
2		.....	2	Misdemeanor	10 days jail.
6		6	.....	Misdemeanor	5 days jail or \$5.
1		1	.....	Misdemeanor	3 days jail or \$3.
2		2	.....	Misdemeanor	Fined \$10.
1		1	.....	Misdemeanor	Fined \$3.
2		2	.....	Misdemeanor	Asylum.
4		4	.....	Misdemeanor	Not stated.
1		1	.....	Misdemeanor	Suspended; probation.
5		5	.....	Misdemeanor	Suspended.
2		2	.....	Petit larceny	180 days jail and \$50.
2		2	.....	Petit larceny	180 days jail.
1		1	.....	Petit larceny	90 days jail.
1		1	.....	Petit larceny	40 days jail or \$40.
2		2	.....	Petit larceny	30 days jail and \$50.
3		3	.....	Petit larceny	30 days jail.
2		2	.....	Petit larceny	25 days jail or \$25.
2		2	.....	Petit larceny	20 days jail.
1		1	.....	Petit larceny	10 days jail and \$10.
1		1	.....	Petit larceny	10 days jail and \$5.
1		1	.....	Petit larceny	Suspended.
1		1	.....	Vagrancy	10 days jail or \$10.
11		11	.....	Vagrancy	Suspended.
11		Total, 360; men, 344; women, 16.			
1	Fourth quarter	1	.....	Assault, third degree	180 days jail and \$50.
1		1	.....	Assault, third degree	60 days jail and \$50.
1		1	.....	Assault, third degree	30 days jail and \$50.
1		1	.....	Assault, third degree	30 days jail and \$25.
3		3	.....	Assault, third degree	30 days jail or \$30.
2		1	.....	Assault, third degree	30 days jail.
1		1	.....	Assault, third degree	25 days jail or \$25.
1		1	.....	Assault, third degree	25 days jail.
1		1	.....	Assault, third degree	25 days jail.

TABLE K — COUNTY OF ST. LAWRENCE — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
6	Fourth quarter	6	.....	Misdemeanor	10 days jail and \$25.
11		11	.....	Misdemeanor	10 days jail and \$10.
10		9	1	Misdemeanor	10 days jail and \$5.
10		7	.....	Misdemeanor	10 days jail or \$10.
10		5	.....	Misdemeanor	10 days jail.
10		2	.....	Misdemeanor	5 days jail or \$5.
10		1	.....	Misdemeanor	3 days jail or \$3.
10		1	.....	Misdemeanor	Fined \$10.
10		1	.....	Misdemeanor	Asylum.
10		6	.....	Misdemeanor	Not stated.
10		2	.....	Misdemeanor	State Industrial School.
10		2	.....	Misdemeanor	Suspended.
10		1	.....	Misdemeanor	365 days jail.
10		1	.....	Petit larceny	90 days jail.
10		1	.....	Petit larceny	60 days jail and \$30.
10		1	.....	Petit larceny	60 days jail.
10		1	.....	Petit larceny	50 days jail or \$50.
10		1	.....	Petit larceny	30 days jail.
10		5	.....	Petit larceny	25 days jail or \$25.
10		2	.....	Petit larceny	20 days jail and \$50.
10		1	.....	Petit larceny	20 days jail or \$20.
10		3	.....	Petit larceny	20 days jail.
10		2	.....	Petit larceny	15 days jail.
10		2	.....	Petit larceny	10 days jail.
10		1	.....	Petit larceny	3 days jail.
10		1	.....	Petit larceny	Suspended.
10		1	.....	Vagrancy	90 days jail.
10		1	.....	Vagrancy	60 days jail.
10		1	.....	Vagrancy	25 days jail or \$25.
10		1	.....	Vagrancy	10 days jail.
10		5	.....	Vagrancy	Suspended.

Total, 304; men, 297; women, 7.

PROPERTY OF ARMY)

[illegible]

TABLE K — COUNTY OF SARATOGA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	First quarter	1	.....	Petit larceny	30 days jail or \$30.
1		1	.....	Petit larceny	20 days jail.
1		1	.....	Petit larceny	Fined \$30.
1		1	.....	Petit larceny	Fined \$12.
1		1	.....	Petit larceny	Fined \$10.
1		1	.....	Petit larceny	Not stated.
1		1	.....	Petit larceny	Suspended.
28		28	.....	Vagrancy	.....
3		3	.....	Vagrancy	.....
3		3	.....	Vagrancy	.....
31		31	.....	Vagrancy	.....
34		34	.....	Vagrancy	.....
1		1	.....	Vagrancy	.....
1		1	.....	Vagrancy	.....
3		3	.....	Vagrancy	.....
2		2	.....	Vagrancy	.....
2		2	.....	Vagrancy	.....
1		1	.....	Vagrancy	.....
5		5	.....	Vagrancy	.....
1		1	.....	Vagrancy	.....
1		1	.....	Vagrancy	.....
34		34	.....	Vagrancy	.....
67		67	.....	Vagrancy	.....
		Total, 483; men, 477; women, 6.			
1	Second quarter	2	.....	Assault, third degree.	10 days jail.
1		1	.....	Assault, third degree.	Fined \$6.
1		1	.....	Assault, third degree.	Suspended.
1		1	.....	Intoxication	90 days jail.
6		6	.....	Intoxication	60 days jail.
1		1	.....	Intoxication	50 days jail.
1		1	.....	Intoxication	30 days jail and \$5.
1		1	.....	Intoxication	30 days jail.
26		26	.....	Intoxication	25 days jail.
1		1	.....	Intoxication	20 days jail or \$20.
1		1	.....	Intoxication	.....

TABLE K — COUNTY OF SARATOGA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	.....	Assault, third degree.....	180 days jail and \$50.
1		1	.....	Assault, third degree.....	25 days jail or \$25.
3		3	.....	Intoxication	90 days jail.
4		4	.....	Intoxication	60 days jail.
1		1	.....	Intoxication	59 days jail.
9		9	.....	Intoxication	30 days jail.
1		1	.....	Intoxication	25 days jail.
2		2	.....	Intoxication	25 days jail.
3		3	.....	Intoxication	20 days jail.
8		8	.....	Intoxication	15 days jail.
1		1	.....	Intoxication	10 days jail or \$10.
1		1	.....	Intoxication	10 days jail or \$3.
19		19	1	Intoxication	10 days jail.
6		6	.....	Intoxication	Fined \$10.
2		2	.....	Intoxication	Fined \$5.
2		2	.....	Intoxication	Fined \$3.
2		2	.....	Intoxication	Not stated.
26		26	.....	Intoxication	Suspended.
4		4	.....	Intoxication	90 days jail and \$5.
1		1	.....	Misdemeanor	90 days jail.
4		4	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	25 days jail or \$25.
2		2	.....	Misdemeanor	25 days jail.
1		1	.....	Misdemeanor	20 days jail.
4		4	.....	Misdemeanor	15 days jail.
1		1	.....	Misdemeanor	10 days jail or \$10.
3		3	.....	Misdemeanor	10 days jail.
2		2	.....	Misdemeanor	5 days jail or \$5.
1		1	.....	Misdemeanor	5 days jail.
2		2	.....	Misdemeanor	Fined \$30.
1		1	.....	Misdemeanor	Fined \$20.
1		1	.....	Misdemeanor	Fined \$10.
2		2	.....	Misdemeanor	Fined \$5.
6		6	4	Misdemeanor	Asylum.
3		3	.....	Misdemeanor	State Industrial School.
4		4	.....	Misdemeanor	Suspended.

1	1	1	Petit larceny	.....	180 days jail and \$50.
1	1	1	Petit larceny	.....	90 days jail.
2	1	2	Petit larceny	.....	60 days jail.
1	1	1	Petit larceny	.....	50 days jail or \$50.
1	1	1	Petit larceny	.....	30 days jail.
1	1	1	Petit larceny	.....	15 days jail.
1	1	1	Petit larceny	.....	Fined \$10.
1	1	1	Petit larceny	.....	Suspended.
10	10	10	Vagrancy	.....	2 months penitentiary.
1	1	1	Vagrancy	.....	30 days jail.
1	1	1	Vagrancy	.....	10 days jail.
1	1	1	Vagrancy	.....	Adjudged a vagrant.
1	1	1	Vagrancy	.....	Asylum.
4	4	4	Vagrancy	.....	Not stated.
10	10	10	Vagrancy	.....	Suspended.
1	1	1	Violation Liquor Tax Law	.....	Fined \$50.
Total, 176; men, 169; women, 7.					
1	1	1	Assault, third degree	.....	60 days jail.
1	1	1	Assault, third degree	.....	30 days jail or \$10.
1	1	1	Assault, third degree	.....	25 days jail or \$25.
1	1	1	Assault, third degree	.....	15 days jail.
1	1	1	Assault, third degree	.....	Fined \$50.
2	2	2	Assault, third degree	.....	Suspended.
2	2	2	Intoxication	.....	180 days jail.
2	2	2	Intoxication	.....	90 days jail.
2	2	2	Intoxication	.....	60 days jail.
4	4	4	Intoxication	.....	30 days jail.
2	2	2	Intoxication	.....	25 days jail.
1	1	1	Intoxication	.....	20 days jail or \$20.
13	13	13	Intoxication	.....	20 days jail.
1	1	1	Intoxication	.....	15 days jail.
1	1	1	Intoxication	.....	10 days jail or \$3.
13	13	13	Intoxication	.....	10 days jail.
1	1	1	Intoxication	.....	5 days jail.
1	1	1	Intoxication	.....	3 days jail.
1	1	1	Intoxication	.....	Fined \$30.
1	1	1	Intoxication	.....	Fined \$20.
1	1	1	Intoxication	.....	Fined \$10.
5	5	5	Intoxication	.....	Fined \$5.
3	3	3	Intoxication	.....	Fined \$3.
1	1	1	Intoxication	.....	Adjudged a disorderly person.
18	18	18	Intoxication	.....	Not stated.
46	46	46	Intoxication	.....	Suspended.
1	1	1	Misdemeanor	.....	180 days jail.
2	2	2	Misdemeanor	.....	120 days jail.
1	1	1	Misdemeanor	.....	60 days jail.
Fourth quarter	.....	.....	.....	.....	.....
1	1	1	Assault, third degree	.....	60 days jail.
1	1	1	Assault, third degree	.....	30 days jail or \$10.
1	1	1	Assault, third degree	.....	25 days jail or \$25.
1	1	1	Assault, third degree	.....	15 days jail.
1	1	1	Assault, third degree	.....	Fined \$50.
3	3	3	Assault, third degree	.....	Suspended.
3	3	3	Intoxication	.....	180 days jail.
5	5	5	Intoxication	.....	90 days jail.
5	5	5	Intoxication	.....	60 days jail.
1	1	1	Intoxication	.....	30 days jail.
1	1	1	Intoxication	.....	25 days jail.
1	1	1	Intoxication	.....	20 days jail or \$20.
14	14	14	Intoxication	.....	20 days jail.
1	1	1	Intoxication	.....	15 days jail.
1	1	1	Intoxication	.....	10 days jail or \$3.
13	13	13	Intoxication	.....	10 days jail.
1	1	1	Intoxication	.....	5 days jail.
1	1	1	Intoxication	.....	3 days jail.
1	1	1	Intoxication	.....	Fined \$30.
2	2	2	Intoxication	.....	Fined \$20.
5	5	5	Intoxication	.....	Fined \$10.
3	3	3	Intoxication	.....	Fined \$5.
1	1	1	Intoxication	.....	Fined \$3.
1	1	1	Intoxication	.....	Adjudged a disorderly person.
18	18	18	Intoxication	.....	Not stated.
46	46	46	Intoxication	.....	Suspended.
1	1	1	Misdemeanor	.....	180 days jail.
2	2	2	Misdemeanor	.....	120 days jail.
1	1	1	Misdemeanor	.....	60 days jail.

COUNTY OF CULLENBULAD1

1	First quarter	1	Assault, third degree	100 days jail.
1		1	Assault, third degree	85 days jail.
1		1	Assault, third degree	35 days jail or \$35.
4		3	Assault, third degree	25 days jail or \$25.
1		1	Assault, third degree	15 days jail or \$15.
1		1	Assault, third degree	10 days jail or \$10.
4		4	Assault, third degree	5 days jail or \$5.
1		1	Assault, third degree	Fined \$25.
1		1	Assault, third degree	Fined \$10.
1		1	Assault, third degree	Fined \$5.
13		13	Assault, third degree	Suspended.
1		1	Intoxication	+ months penitentiary.
1		1	Intoxication	3 months penitentiary.
1		1	Intoxication	100 days jail.
4		4	Intoxication	90 days jail.
6		6	Intoxication	60 days jail.
5		5	Intoxication	30 days jail.
3		3	Intoxication	20 days jail.
1		1	Intoxication	15 days jail or \$15.
1		1	Intoxication	10 days jail or \$10.
6		6	Intoxication	10 days jail.
6		6	Intoxication	5 days jail or \$5.
1		1	Intoxication	3 days jail or \$3.
1		1	Intoxication	Asylum.
195		191	Intoxication	Suspended.
1		1	Misdemeanor	365 days jail and \$500.
1		1	Misdemeanor	150 days jail.
1		1	Misdemeanor	90 days jail.
1		1	Misdemeanor	60 days jail.
1		1	Misdemeanor	50 days jail or \$50.
2		2	Misdemeanor	30 days jail.
2		2	Misdemeanor	25 days jail or \$25.
3		3	Misdemeanor	20 days jail or \$20.
3		3	Misdemeanor	15 days jail or \$15.
17		17	Misdemeanor	10 days jail or \$10.
32		31	Misdemeanor	10 days jail.
63		63	Misdemeanor	5 days jail or \$5.
9		9	Misdemeanor	3 days jail or \$3.
7		7	Misdemeanor	2 days jail or \$2.
3		3	Misdemeanor	1 day jail or \$1.
2		2	Misdemeanor	Fined \$12.25.
19		19	Misdemeanor	Fined \$10.
1		1	Misdemeanor	Fined \$5.
1		1	Misdemeanor	Fined \$3.
15		13	Misdemeanor	Fined \$1.
			Misdemeanor	Asylum.

TABLE K — COUNTY OF SCHENECTADY — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
9	First quarter	9	.....	Misdemeanor	Not stated.
4		4	.....	Misdemeanor	State Industrial School.
166		148	18	Misdemeanor	Suspended.
1		1	.....	Petit larceny	270 days jail.
1		1	.....	Petit larceny	180 days jail.
1		1	.....	Petit larceny	120 days jail.
2		2	.....	Petit larceny	90 days jail.
1		1	.....	Petit larceny	60 days jail.
1		1	.....	Petit larceny	30 days jail or \$30.
1		1	.....	Petit larceny	30 days jail.
2		1	1	Petit larceny	25 days jail or \$25.
1		1	.....	Petit larceny	10 days jail or \$50.
1		1	.....	Petit larceny	10 days jail or \$10.
1		1	.....	Petit larceny	10 days jail.
2		2	.....	Petit larceny	5 days jail or \$5.
1		1	.....	Petit larceny	5 days jail.
2		2	.....	Petit larceny	3 days jail or \$3.
1		1	.....	Petit larceny	Fined \$10.
2		2	.....	Petit larceny	Not stated.
21		19	2	Petit larceny	Suspended.
1		1	.....	Vagrancy	60 days jail.
1		1	.....	Vagrancy	30 days jail.
1		1	.....	Vagrancy	20 days jail.
1		1	.....	Vagrancy	5 days jail.
18		16	2	Vagrancy	Suspended.
Total, 002: men, 658; women, 34.					
3	Second quarter	3	.....	Assault, third degree	5 days jail or \$5.
1		1	.....	Assault, third degree	3 days jail or \$3.
1		1	.....	Assault, third degree	2 days jail or \$20.
1		1	.....	Assault, third degree	Fined \$15.
1		1	.....	Assault, third degree	Fined \$4.
1		1	.....	Assault, third degree	Fined \$5.
2		2	.....	Assault, third degree	Assault.
13		13	.....	Assault, third degree	Suspended.

4	Intoxication	.....	90 days jail.
3	Intoxication	.....	60 days jail.
10	Intoxication	.....	30 days jail.
1	Intoxication	.....	20 days jail.
1	Intoxication	.....	10 days jail or \$10.
2	Intoxication	.....	10 days jail.
1	Intoxication	.....	Asylum.
.....	Intoxication	.....	Suspended.
174	Intoxication	11	200 days jail or \$200.
1	Misdemeanor	.....	180 days jail.
1	Misdemeanor	.....	90 days jail.
1	Misdemeanor	.....	60 days jail.
2	Misdemeanor	.....	50 days jail or \$50.
2	Misdemeanor	.....	40 days jail or \$40.
1	Misdemeanor	.....	30 days jail.
2	Misdemeanor	1	25 days jail or \$25.
3	Misdemeanor	.....	20 days jail or \$20.
2	Misdemeanor	.....	15 days jail or \$15.
1	Misdemeanor	.....	14 days jail.
1	Misdemeanor	.....	10 days jail and \$10.
1	Misdemeanor	.....	10 days jail or \$10.
11	Misdemeanor	.....	5 days jail or \$5.
43	Misdemeanor	1	5 days jail.
3	Misdemeanor	.....	3 days jail or \$3.
73	Misdemeanor	2	3 days jail.
1	Misdemeanor	.....	2 days jail or \$2.
15	Misdemeanor	.....	1 day jail or \$1.
1	Misdemeanor	.....	Fined \$25.
1	Misdemeanor	.....	Fined \$17.25.
1	Misdemeanor	.....	Fined \$15.
2	Misdemeanor	.....	Fined \$12.25.
1	Misdemeanor	.....	Asylum.
2	Misdemeanor	5	Not stated.
10	Misdemeanor	.....	State Industrial School.
6	Misdemeanor	.....	Suspended.
165	Misdemeanor	14	270 days jail.
1	Petit larceny	.....	90 days jail.
1	Petit larceny	.....	60 days jail.
1	Petit larceny	.....	30 days jail.
2	Petit larceny	.....	25 days jail or \$25.
2	Petit larceny	.....	20 days jail or \$20.
1	Petit larceny	.....	15 days jail or \$15.
1	Petit larceny	.....	10 days jail or \$10.
2	Petit larceny	3	5 days jail or \$5.
3	Petit larceny	.....	Asylum.
2	Petit larceny	Suspended.
22	Petit larceny	60 days jail.
3	Vagrancy	30 days jail.
1	Vagrancy	2	

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TABLE K — COUNTY OF SCHENECTADY — (Continued)

Number of convictions	WHEN CONVICTED	OFFENSE		SENTENCE	
		Males	Females		
2	Second quarter	1	1	Vagrancy	20 days jail.
2		2	.....	Vagrancy	10 days jail.
1		1	.....	Vagrancy	5 days jail.
1		1	.....	Vagrancy	Not stated.
29		29	.....	Vagrancy	Suspended.
Total, 688; men, 647; women, 41.					
1	Third quarter	1	.....	Assault, third degree	50 days jail.
1		1	.....	Assault, third degree	25 days jail.
2		2	.....	Assault, third degree	15 days jail.
6		6	.....	Assault, third degree	10 days jail or \$10.
8		8	.....	Assault, third degree	5 days jail or \$5.
2		2	.....	Assault, third degree	3 days jail or \$3.
1		.....	1	Assault, third degree	2 days jail or \$2.
3		3	.....	Assault, third degree	Fined \$5.
1		1	.....	Assault, third degree	Not stated.
1		10	.....	Assault, third degree	Suspended.
2		2	.....	Intoxication	180 days jail.
1		1	.....	Intoxication	90 days jail.
3		3	.....	Intoxication	60 days jail.
8		8	.....	Intoxication	30 days jail.
1		1	.....	Intoxication	20 days jail.
1		1	.....	Intoxication	15 days jail.
1		1	.....	Intoxication	10 days jail or \$10.
6		6	.....	Intoxication	10 days jail.
4		3	1	Intoxication	5 days jail or \$5.
1		1	.....	Intoxication	5 days jail.
1		1	.....	Intoxication	3 days jail.
1		1	.....	Intoxication	2 days jail or \$2.
1		1	.....	Intoxication	Fined \$10.
1		.....	1	Intoxication	Asylum.
1		176	4	Intoxication	Suspended.
180		1	.....	Misdemeanor	305 days jail and \$100.
1		2	.....	Misdemeanor	150 days jail.
1		1	.....	Misdemeanor	150 days jail or \$150.

TABLE K—COUNTY OF SCHENECTADY—(Continued)

Number of convictions	WHEN CONVICTED	Male	Females	OFFENSE	SENTENCE
2	Third quarter	2	1	Vagrancy	30 days jail.
1		1	1	Vagrancy	20 days jail.
1		1	1	Vagrancy	10 days jail.
1		1	1	Vagrancy	Fined \$10.
1		1	1	Vagrancy	Asylum
43		34	9	Vagrancy	Suspended.
Total, 831; men, 770; women, 61.					
1	Fourth quarter	1	1	Assault, third degree	\$35.
1		1	1	Assault, third degree	\$30.
3		3	1	Assault, third degree	\$25.
2		2	1	Assault, third degree	\$20.
1		1	1	Assault, third degree	\$15.
3		3	1	Assault, third degree	\$10.
3		3	1	Assault, third degree	\$5.
1		1	1	Assault, third degree	\$2.
17		17	1	Assault, third degree	
1		1	1	Intoxication	
1		1	1	Intoxication	
1		1	1	Intoxication	
1		1	1	Intoxication	
1		1	1	Intoxication	\$25.
1		1	1	Intoxication	\$10.
4		4	1	Intoxication	\$5.
7		7	1	Intoxication	\$3.
7		7	1	Intoxication	\$2.
7		7	1	Intoxication	
1		1	1	Intoxication	
1		1	1	Intoxication	
121		121	6	Intoxication	Penitentiary and \$500.
1		1	1	Misdemeanor	\$75.
3		3	1	Misdemeanor	\$50.
1		1	1	Misdemeanor	\$40.
3		3	1	Misdemeanor	\$10.
1		1	1	Misdemeanor	

3	3	30 days jail.			
6	6	25 days jail or \$25.			
2	2	20 days jail or \$20.			
23	23	15 days jail or \$15.			
6	6	10 days jail or \$10.			
1	1	10 days jail.			
1	1	7 days jail.			
48	48	5 days jail or \$5.			
1	1	5 days jail.			
26	26	3 days jail or \$3.			
68	68	2 days jail or \$2.			
18	17	1 day jail or \$1.			
9	8	Asylum.			
9	9	Not stated.			
3	3	State Industrial School.			
256	215	Suspended.			
1	1	90 days jail.			
1	1	60 days jail or \$60.			
1	1	60 days jail.			
1	1	25 days jail or \$25.			
1	1	20 days jail.			
2	7	10 days jail or \$10.			
1	1	10 days jail.			
5	5	5 days jail or \$5.			
1	1	5 days jail.			
1	1	3 days jail or \$3.			
1	1	2 days jail or \$2.			
1	1	1 day jail or \$1.			
3	3	Asylum.			
11	11	Suspended.			
1	1	120 days jail.			
3	3	30 days jail.			
1	1	20 days jail.			
8	8	10 days jail.			
1	1	7 days jail.			
1	1	5 days jail.			
3	3	Asylum.			
1	1	Not stated.			
31	2	Suspended.			

Total, 577; men, 516; women, 61.

COUNTY OF SCHOHARIE

2	2	Intoxication	6 months penitentiary.
1	1	Intoxication	30 days jail or \$10.
1	1	Intoxication	15 days jail or \$5.

TABLE K — COUNTY OF SCHOHARIE — (Continued)

Number of convictions	WHEN CONVICTED		Males	Females	OFFENSE	SENTENCE
2	First quarter		2		Intoxication	15 days jail.
1			1		Intoxication	10 days jail or \$10.
1			1		Petit larceny	120 days jail.
1			1		Petit larceny	40 days jail.
					Total, 9; men, 9; women, 0.	
1	Second quarter		1		Intoxication	90 days jail.
1				1	Misdemeanor	Fined \$15.
					Total, 2; men, 1; women, 1.	
1	Third quarter		1		Assault, third degree	153 days penitentiary.
1			1		Misdemeanor	Not stated.
					Total, 2; men, 2; women, 0.	
1	Fourth quarter		1		Misdemeanor	Fined \$12.75.
2			2		Petit larceny	90 days jail.
1				1	Vagrancy	Almshouse.
					Total, 4; men, 3; women, 1.	
COUNTY OF SCHUYLER						
1	First quarter		1		Petit larceny	3 months penitentiary.
1			1		Petit larceny	20 days jail.
1			1		Petit larceny	Fined \$6.
					Total, 3; men, 3; women, 0.	
1	Second quarter		1		Intoxication	50 days jail.
1			1		Intoxication	5 days jail and \$5.
2			2		Misdemeanor	Suspended.
					Total, 4; men, 4; women, 0.	

Third quarter	Assault, third degree.	0 months penitentiary.
1	.....	10 days jail.
1	.....	0 days jail or \$6.50.
1	.....	Fined \$5.
1	.....	State Industrial School.
1	.....	6 months penitentiary.
1	.....
	Total, 6; men, 5; women, 1.	
Fourth quarter	Intoxication	10 days county jail.
1	.....	5 days jail or \$6.
3	.....	Fined \$25 or 25 days jail.
1	.....	State Industrial School.
1	.....	Probation.
2	.....
	Total, 8; men, 8; women, 0.	

COUNTY OF SENECA

First quarter	Assault, third degree.	and \$10.
1	and \$10.
1	
1	
1	
1	
2	
3	
1	
2	
1	
1	
1	
1	
4	
1	
1	
1	
2	
5	
1	
1	
0	
1	
4	
4	
0	

TABLE K—COUNTY OF SENECA—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSES	SENTENCE
2	First quarter	2	Intoxication	nd \$50.
1		1	.....	Intoxication
1		1	.....	Intoxication
1		1	.....	Intoxication
1		3	.....	Misdemeanor
1		1	.....	Misdemeanor
1		1	.....	Misdemeanor
1		1	.....	Misdemeanor
1		1	.....	Misdemeanor
1		3	.....	Misdemeanor
1		1	.....	Misdemeanor
1		1	.....	Misdemeanor
1		1	.....	Misdemeanor
1		1	.....	Misdemeanor
1		1	.....	Misdemeanor
1		2	.....	Misdemeanor
1		1	.....	Misdemeanor
1		1	.....	Misdemeanor
1		1	.....	Misdemeanor
1		1	.....	Misdemeanor
1		5	.....	Misdemeanor
4		4	.....	Misdemeanor
1		1	.....	Misdemeanor
1		2	.....	Misdemeanor
1		1	.....	Misdemeanor
3		3	.....	Petit larceny
3		2	.....	Petit larceny
1		1	.....	Vagrancy
1		1	.....	Vagrancy
1		1	.....	Vagrancy
3		2	.....	Vagrancy
2		2	.....	Vagrancy
Total, 107; men, 105; women, 2.					

1	Second quarter	1	.....	Intoxication	50 days jail.
4		4	.....	Intoxication	30 days jail.
1		1	.....	Intoxication	10 days jail or \$10

1	1	Intoxication	10 days jail.
1	1	Intoxication	8 days jail or \$8.
1	1	Misdemeanor	50 days jail or \$50.
1	1	Vagrancy	100 days penitentiary.
Total, 10; men, 10; women, 0.			
2	2	Intoxication	6 months penitentiary.
5	5	Intoxication	3 months penitentiary.
1	1	Intoxication	59 days jail.
1	1	Intoxication	30 days jail.
1	1	Intoxication	15 days jail.
6	6	Intoxication	10 days jail or \$10.
6	6	Intoxication	10 days jail.
3	3	Petit larceny	4 months penitentiary.
3	3	Vagrancy	4 months penitentiary.
1	1	Vagrancy	3 months penitentiary.
1	1	Vagrancy	100 days penitentiary.
Total, 28; men, 28; women, 0.			
2	2	Assault, third degree	Fined \$3.
1	1	Intoxication	180 days penitentiary.
1	1	Intoxication	150 days penitentiary.
1	1	Intoxication	9 days penitentiary.
1	1	Intoxication	180 days jail.
1	1	Intoxication	30 days jail.
5	5	Intoxication	10 days jail or \$10.
2	2	Intoxication	10 days jail.
1	1	Petit larceny	90 days penitentiary.
Total, 13; men, 13; women, 0			

COUNTY OF STEUBEN

1	1	Intoxication	degree.
1	1	Intoxication	degree.
1	1	Intoxication	degree.
7	7	Intoxication	degree.
1	1	Intoxication	degree.
1	1	Intoxication	degree.
1	1	Intoxication	degree.
3	3	Intoxication	degree.
1	1	Intoxication	degree.
3	3	Intoxication	degree.
2	2	Intoxication	degree.
1	1	Intoxication	degree.
2	2	Intoxication	degree.

TABLE K—COUNTY OF STEUBEN—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
4	First quarter	1	3	Intoxication	
1		1		Intoxication	
28		28		Intoxication	
3		3		Intoxication	
6		6		Intoxication	
10		9	1	Intoxication	
2		2		Intoxication	
1		1		Intoxication	
1		1		Intoxication	
4		3	1	Intoxication	
1		1		Intoxication	
1		1		Intoxication	
1		1		Intoxication	
2		2		Intoxication	
1		1		Intoxication	
1		1		Intoxication	
57		56	1	Intoxication	
2		2		Misdemeanor	and \$25.
1		1		Misdemeanor	
1		1		Misdemeanor	
1		1		Misdemeanor	
1		1		Misdemeanor	
1		1		Misdemeanor	
1		1		Misdemeanor	
1		1		Misdemeanor	
3		3	1	Misdemeanor	
2		2		Misdemeanor	
4		4		Misdemeanor	
1		1		Misdemeanor	
1		1		Misdemeanor	
1		1		Misdemeanor	
0		0	2	Misdemeanor	
2		2		Misdemeanor	
1		1		Misdemeanor	
1		1		Misdemeanor	
0		0		Misdemeanor	
1		1	1	Misdemeanor	
1		1		Misdemeanor	
4		3	1	Misdemeanor	
1		1		Misdemeanor	

1	1	Petit larceny	11 months 29 days penitentiary and \$50.
6	1	Petit larceny	6 months penitentiary.
1	1	Petit larceny	3 months penitentiary and \$25.
2	1	Petit larceny	3 months penitentiary.
1	1	Petit larceny	1 month penitentiary and \$10.
1	1	Petit larceny	90 days jail.
1	1	Petit larceny	60 days jail.
1	1	Petit larceny	59 days jail.
2	1	Petit larceny	30 days jail or \$30.
2	1	Petit larceny	30 days jail.
1	1	Petit larceny	20 days jail or \$20.
2	1	Petit larceny	10 days jail or \$10.
1	1	Petit larceny	Probation.
1	1	Vagrancy	180 days jail.
1	3	Vagrancy	30 days jail.
1	1	Vagrancy	20 days jail.
1	1	Vagrancy	10 days jail.
1	1	Vagrancy	State Industrial School.
2	2	Vagrancy	Suspended.

Total, 228; men, 212; women, 16.

1	1	Assault, third degree.	3 months penitentiary.
2	1	Assault, third degree.	60 days jail.
2	1	Assault, third degree.	5 days jail or \$5.
1	2	Assault, third degree.	Suspended.
3	1	Intoxication	3 months penitentiary.
1	1	Intoxication	2 months penitentiary.
1	1	Intoxication	180 days jail.
1	1	Intoxication	90 days jail or \$10.
1	1	Intoxication	90 days jail.
1	1	Intoxication	60 days jail and \$10.
6	1	Intoxication	60 days jail or \$10.
1	1	Intoxication	60 days jail or \$5.
1	1	Intoxication	60 days jail.
1	1	Intoxication	59 days jail.
1	1	Intoxication	45 days jail or \$7.
1	1	Intoxication	30 days jail and \$7.
2	1	Intoxication	30 days jail and \$5.
1	1	Intoxication	30 days jail or \$10.
1	1	Intoxication	30 days jail or \$7.
24	2	Intoxication	30 days jail or \$5.
2	4	Intoxication	30 days jail or \$3.
4	1	Intoxication	30 days jail.
1	1	Intoxication	20 days jail or \$10.
12	1	Intoxication	20 days jail or \$3.
1	1	Intoxication	15 days jail or \$5.

1	1	Petit larceny	180 days jail.
1	1	Petit larceny	90 days jail or \$20.
1	1	Petit larceny	90 days jail.
1	1	Petit larceny	59 days jail.
1	1	Petit larceny	30 days jail and \$5.
1	1	Petit larceny	15 days jail.
1	1	Petit larceny	Probation.
3	3	Petit larceny	Suspended.
1	1	Vagrancy	60 days jail.
2	2	Vagrancy	Suspended.
Total, 198; men, 186; women, 12.			
1	1	Assault, third degree	6 months penitentiary.
1	1	Assault, third degree	90 days jail.
1	1	Assault, third degree	10 days jail or \$10.
2	2	Assault, third degree	Probation.
1	1	Assault, third degree	Suspended.
1	1	Intoxication	6 months penitentiary.
1	1	Intoxication	180 days jail and \$5.
1	1	Intoxication	180 days jail.
1	1	Intoxication	120 days jail.
2	2	Intoxication	90 days jail and \$10.
7	7	Intoxication	60 days jail or \$10.
1	1	Intoxication	60 days jail or \$5.
1	1	Intoxication	60 days jail.
6	6	Intoxication	59 days jail.
1	1	Intoxication	38 days jail.
1	1	Intoxication	30 days jail and \$10.
1	1	Intoxication	30 days jail and \$5.
2	2	Intoxication	30 days jail or \$10.
1	1	Intoxication	30 days jail or \$7.
1	1	Intoxication	30 days jail or \$5.
48	48	Intoxication	30 days jail.
8	8	Intoxication	25 days jail or \$25.
2	2	Intoxication	20 days jail or \$3.
4	4	Intoxication	15 days jail or \$5.
7	7	Intoxication	15 days jail.
1	1	Intoxication	10 days jail and \$5.
1	1	Intoxication	10 days jail or \$10.
5	5	Intoxication	10 days jail or \$7.
2	2	Intoxication	10 days jail or \$5.
6	6	Intoxication	10 days jail or \$3.
1	1	Intoxication	10 days jail.
1	1	Intoxication	5 days jail and \$5.
1	1	Intoxication	5 days jail or \$5.
2	2	Intoxication	3 days jail or \$3.
1	1	Intoxication	

[illegible]

COUNTY OF SUFFOLK

1	First quarter	1	Assault, third degree.....	90 days jail.
1		1	Assault, third degree.....	Fined \$15.
3		1	Assault, third degree.....	Suspended.
5			Intoxication	180 days jail and \$50.
3			Intoxication	180 days jail.
2			Intoxication	120 days jail.
2			Intoxication	90 days jail.
15		3	Intoxication	60 days jail.
1			Intoxication	30 days jail and \$5.
2			Intoxication	30 days jail.
1			Intoxication	15 days jail.
4			Intoxication	10 days jail.
2			Intoxication	Fined \$10.
2			Intoxication	Fined \$5.
4			Intoxication	Fined \$3.
2		2	Intoxication	Suspended.
3			Intoxication	6 months penitentiary.
1			Misdemeanor	4 months penitentiary.
2			Misdemeanor	120 days jail.
1			Misdemeanor	90 days jail.
2			Misdemeanor	60 days jail.
2			Misdemeanor	30 days jail.
3		1	Misdemeanor	10 days jail.
1			Misdemeanor	Fined \$10.
13		1	Misdemeanor	Asylum.
4			Misdemeanor	Probation.
3		1	Misdemeanor	Suspended.
6		1	Misdemeanor	180 days jail or \$50.
2			Petit larceny	180 days jail.
2		1	Petit larceny	120 days jail.
2			Petit larceny	90 days jail.
2			Petit larceny	60 days jail.
1			Petit larceny	30 days jail.
2			Petit larceny	Fined \$50.
1			Petit larceny	Fined \$25.
2			Petit larceny	Fined \$3.
1			Petit larceny	Suspended.
2			Vagrancy	90 days jail.
4			Vagrancy	60 days jail.
3			Vagrancy	30 days jail.
4			Vagrancy	Adjudged vagrants.
3			Vagrancy	Alms-house.
1			Vagrancy	Suspended.
1			Vagrancy	

Total, 141; men, 130; women, 11.

COUNTY OF SUFFOLK

1	First quarter	1	Assault, third degree	90 days jail.
1		1	Assault, third degree	Fined \$15.
3		1	Assault, third degree	Suspended.
3			Intoxication	180 days jail and \$50.
3			Intoxication	180 days jail.
2			Intoxication	120 days jail.
2			Intoxication	90 days jail.
2		3	Intoxication	60 days jail.
12			Intoxication	30 days jail and \$5.
1			Intoxication	30 days jail.
21			Intoxication	15 days jail.
4			Intoxication	10 days jail.
2			Intoxication	Fined \$10.
2			Intoxication	Fined \$5.
4			Intoxication	Fined \$3.
2		2	Intoxication	Suspended.
3			Intoxication	6 months penitentiary.
1			Misdemeanor	4 months penitentiary.
1			Misdemeanor	120 days jail.
1			Misdemeanor	90 days jail.
1			Misdemeanor	60 days jail.
2			Misdemeanor	30 days jail.
2		1	Misdemeanor	10 days jail.
1			Misdemeanor	Fined \$10.
12		1	Misdemeanor	Asylum.
4		1	Misdemeanor	Probation.
2		1	Misdemeanor	Suspended.
5			Misdemeanor	180 days jail or \$50.
2			Petit larceny	180 days jail.
1		1	Petit larceny	120 days jail.
2			Petit larceny	90 days jail.
2			Petit larceny	60 days jail.
1			Petit larceny	30 days jail.
2			Petit larceny	Fined \$50.
1			Petit larceny	Fined \$25.
2			Petit larceny	Fined \$3.
1			Petit larceny	Suspended.
2			Petit larceny	90 days jail.
4			Vagrancy	60 days jail.
3			Vagrancy	30 days jail.
4			Vagrancy	Adjudged vagrants.
3			Vagrancy	Alms-house.
3			Vagrancy	Suspended.
1			Vagrancy	

Total, 141; men, 130; women, 11.

TABLE K — COUNTY OF SUFFOLK — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Second quarter	1	.....	Assault, third degree.	5 months penitentiary.
1		1	.....	Assault, third degree.	Fined \$40.
2		2	.....	Assault, third degree.	Fined \$10.
2		1	1	Assault, third degree.	Fined \$5.
2		2	.....	Assault, third degree.	Suspended.
1		1	.....	Intoxication	6 months penitentiary.
2		2	.....	Intoxication	90 days jail.
0		0	.....	Intoxication	60 days jail.
21		21	.....	Intoxication	30 days jail.
1		1	.....	Intoxication	15 days jail.
3		3	.....	Intoxication	Fined \$10.
4		4	.....	Intoxication	Fined \$5.
2		2	.....	Intoxication	Fined \$3.
3		3	.....	Intoxication	Suspended.
1		1	.....	Misdemeanor	5 months penitentiary.
1		1	.....	Misdemeanor	45 days jail.
1		1	.....	Misdemeanor	30 days jail and \$25.
2		2	.....	Misdemeanor	30 days jail.
3		3	.....	Misdemeanor	24 days jail.
3		3	.....	Misdemeanor	Fined \$10.
.....		.....	1	Misdemeanor	Fined \$5.
1		1	.....	Misdemeanor	Adjudged a disorderly person.
.....		.....	1	Misdemeanor	Asylum.
1		1	.....	Misdemeanor	Bond required \$250.
1		1	.....	Misdemeanor	Suspended.
4		4	1	Misdemeanor	150 days jail.
1		1	.....	Petit larceny	90 days jail.
1		1	.....	Petit larceny	60 days jail.
1		1	.....	Petit larceny	20 days jail and \$10.
1		1	.....	Petit larceny	Fined \$10.
3		3	.....	Petit larceny	1 month penitentiary.
1		1	.....	Vagrancy	120 days jail.
1		1	.....	Vagrancy	90 days jail.
1		1	.....	Vagrancy	60 days jail.
1		1	.....	Vagrancy	30 days jail.
1		1	.....	Vagrancy	Adjudged vagrants.
1		1	.....	Vagrancy	
14		14	.....	Vagrancy	

Total, 471 men, 43; women, 4.

TABLE K — COUNTY OF SUFFOLK — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Fourth quarter	1	.....	Assault, third degree.....	180 days jail.
1		1	.....	Assault, third degree.....	120 days jail.
3		3	.....	Assault, third degree.....	90 days jail.
1		1	.....	Assault, third degree.....	60 days jail.
1		1	.....	Assault, third degree.....	30 days jail.
1		1	.....	Assault, third degree.....	25 days jail or \$25.
1		1	.....	Assault, third degree.....	10 days jail or \$10.
3		3	.....	Assault, third degree.....	Fined \$25.
1		1	.....	Assault, third degree.....	Fined \$20.
1		1	.....	Assault, third degree.....	Fined \$15.
1		1	.....	Assault, third degree.....	Fined \$10.
3		2	1	Assault, third degree.....	Fined \$5.
3		2	1	Assault, third degree.....	Suspended.
2		2	.....	Intoxication	180 days jail.
3		3	.....	Intoxication	90 days jail.
2		2	.....	Intoxication	60 days jail.
2		2	.....	Intoxication	30 days jail.
2		1	.....	Intoxication	20 days jail.
1		1	.....	Intoxication	10 days jail or \$10.
1		1	.....	Intoxication	10 days jail.
1		1	.....	Intoxication	5 days jail or \$5.
1		1	.....	Intoxication	5 days jail.
4		4	.....	Intoxication	Fined \$10.
32		32	.....	Intoxication	Fined \$5.
1		1	.....	Intoxication	Fined \$3.
1		1	.....	Intoxication	Banished.
1		1	.....	Intoxication	Suspended.
1		1	.....	Misdemeanor	180 days jail.
3		.....	1	Misdemeanor	90 days jail.
1		.....	1	Misdemeanor	30 days jail.
2		4	.....	Misdemeanor	20 days jail or \$20.
4		10	.....	Misdemeanor	10 days jail or \$10.
10		1	.....	Misdemeanor	10 days jail.
1		1	.....	Misdemeanor	5 days jail or \$5.
3		2	.....	Misdemeanor	8 days jail or \$3.
3		3	.....	Misdemeanor	Fined \$25.

TABLE K — COUNTY OF SULLIVAN — (Continued)

Number of convictions	WHEN CONVICTED	OFFENSE		SENTENCE
		Males	Females	
1	Third quarter	1	Misdemeanor	5 days jail.
9		9	Misdemeanor	3 days jail or \$3.
1		1	Misdemeanor	2 days jail or \$2.
1		1	Misdemeanor	1 day jail or \$1.
1		1	Misdemeanor	Fined \$2.
2		2	Misdemeanor	Fined \$1.
2		2	Misdemeanor	Fined ; not stated.
Total, 31; men, 30; women, 1.				
4	Fourth quarter	3	Assault, third degree	Fined ; not stated.
2		1	Misdemeanor	90 days jail.
3		.....	Misdemeanor	30 days jail.
1		.....	Misdemeanor	5 days jail or \$5.
1		.....	Misdemeanor	2 days jail or \$2.
1		.....	Misdemeanor	Fined \$10.
4		.....	Misdemeanor	Fined \$5.
6		.....	Misdemeanor	Fined \$3.
1		.....	Misdemeanor	Fined \$2.
1		.....	Misdemeanor	Fined ; not stated.
.....		1	Petit larceny	Fined \$50.
2		.....	Petit larceny	Fined \$5.
Total, 27; men, 25; women, 2.				

COUNTY OF TIOGA

1	First quarter	1	.....	90 days jail.
1		1	.....	180 days jail and \$10.
3		3	.....	60 days jail.
3		3	.....	30 days jail.
2		2	.....	10 days jail or \$10.
1		1	.....	10 days jail.
1		1	.....	5 days jail or \$5.
1		1	.....	Suspended.

TABLE K — COUNTY OF TIOGA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
9	Fourth quarter	9	.....	Misdemeanor	5 days jail or \$5.
1		1	.....	Misdemeanor	3 days jail or \$3.
1		.....	1	Misdemeanor	Asylum.
2		.....	.....	Petit larceny	10 days jail or \$10.
1		1	.....	Vagrancy	6 months penitentiary.
1		1	.....	Vagrancy	4 months penitentiary.
3		3	.....	Vagrancy	Adjudged vagrants.

Total, 31; men, 30; women, 1.

COUNTY OF TOMPKINS

2	First quarter .....	.....	.....	Assault, third degree	Suspended.
1		1	.....	Intoxication	4 months penitentiary.
1		1	.....	Intoxication	90 days jail.
1		1	.....	Intoxication	50 days jail or \$50.
1		3	.....	Intoxication	30 days jail or \$30.
2		2	.....	Intoxication	30 days jail.
1		1	1	Intoxication	25 days jail or \$25.
1		1	.....	Intoxication	20 days jail or \$20.
1		1	.....	Intoxication	15 days jail or \$15.
8		8	.....	Intoxication	10 days jail or \$10.
2		2	.....	Intoxication	10 days jail.
12		12	.....	Intoxication	5 days jail or \$5.
1		1	.....	Intoxication	5 days jail.
1		1	.....	Intoxication	3 days jail or \$5.
14		14	.....	Intoxication	3 days jail or \$3.
1		1	.....	Intoxication	Suspended.
2		2	.....	Misdemeanor	10 days jail or \$10.
2		2	.....	Misdemeanor	5 days jail or \$5.
1		1	.....	Misdemeanor	3 days jail or \$3.
1		1	.....	Misdemeanor	Fined \$15.
7		7	.....	Misdemeanor	Fined \$10.
5		.....	.....	Misdemeanor	Asylum.

1	1		Petit larceny	30 days jail or \$30.
2	2		Petit larceny	25 days jail or \$25.
			Total, 71; men, 68; women, 3.	
1	1		Assault, third degree.	Fined \$5.
1	1		Intoxication	6 months penitentiary and \$50.
1	1		Intoxication	60 days jail.
1	1		Intoxication	50 days jail or \$50.
2	2		Intoxication	30 days jail or \$30.
2	2		Intoxication	30 days jail.
2	2		Intoxication	25 days jail or \$25.
3	3		Intoxication	20 days jail or \$20.
1	1		Intoxication	15 days jail or \$15.
2	2		Intoxication	10 days jail or \$10.
5	5		Intoxication	10 days jail.
2	2		Intoxication	5 days jail or \$5.
19	19		Intoxication	5 days jail.
1	1		Intoxication	3 days jail or \$3.
12	12		Intoxication	30 days jail or \$30.
1	1		Misdemeanor	25 days jail or \$25.
2	2		Misdemeanor	15 days jail or \$15.
		1	Misdemeanor	5 days jail or \$5.
			Misdemeanor	Asylum.
		2	Misdemeanor	State Industrial School.
			Misdemeanor	2 months penitentiary.
			Petit larceny	5 days jail or \$5.
			Petit larceny	
			Total, 65; men, 62; women, 3.	
1	1		Assault, third degree.	65 days penitentiary.
2	2		Assault, third degree.	15 days jail or \$15.
1	1		Assault, third degree.	5 days jail or \$5.
1	1		Assault, third degree.	Fined \$10.
1	1		Intoxication	6 months penitentiary.
1	1		Intoxication	50 days jail or \$50.
1	1		Intoxication	30 days jail or \$30.
1	1		Intoxication	25 days jail or \$25.
1	1		Intoxication	20 days jail or \$20.
1	1		Intoxication	20 days jail.
1	1		Intoxication	10 days jail or \$10.
6	6		Intoxication	10 days jail.
2	2		Intoxication	5 days jail or \$5.
31	31		Intoxication	5 days jail or \$3.
1	1		Intoxication	3 days jail or \$3.
22	22		Intoxication	Fined \$10.
3	3		Intoxication	Suspended.
1	1		Intoxication	

TABLE K — COUNTY OF TOMPKINS — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	.....	Misdemeanor	60 days jail.
1		1	.....	Misdemeanor	25 days jail.
1		1	.....	Misdemeanor	15 days jail.
4		4	.....	Misdemeanor	5 days jail or \$5.
3		3	.....	Misdemeanor	8 days jail or \$3.
4		4	.....	Misdemeanor	Fined \$10.
2		.....	2	Misdemeanor	Asylum.
1		1	.....	Misdemeanor	Bond required \$500.
2		1	.....	Misdemeanor	Not stated.
1		5	.....	Misdemeanor	State Industrial School.
1		1	.....	Misdemeanor	Suspended.
1		1	.....	Petit larceny	10 days jail or \$10.
Total, 103; men, 100; women, 3.					
1	Fourth quarter	1	.....	Intoxication	Fined \$5.
1		1	.....	Misdemeanor	Fined \$15.
1		1	.....	Misdemeanor	Bond required \$500.
1		1	.....	Misdemeanor	Probation.
1		1	.....	Misdemeanor	State Industrial School.
Total, 5; men, 5; women, 0.					
COUNTY OF ULSTER					
2	First quarter	1	1	Assault, third degree.....	5 days jail or \$5.
1		1	.....	Assault, third degree.....	Suspended.
1		1	.....	Intoxication	6 months penitentiary.
1		1	.....	Intoxication	180 days jail.
1		1	.....	Intoxication	120 days jail.
1		1	.....	Intoxication	60 days jail.
5		5	.....	Intoxication	30 days jail.
1		1	.....	Intoxication	15 days jail.
1		1	.....	Intoxication	10 days jail.
2		1	1	Intoxication	5 days jail or \$5.

TABLE K — COUNTY OF ULSTER — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Second quarter	1	..	Misdemeanor	20 days jail or \$20.
1		2	..	Misdemeanor	20 days jail.
1		5	..	Misdemeanor	10 days jail or \$10.
1		1	..	Misdemeanor	10 days jail.
9		7	2	Misdemeanor	5 days jail or \$5.
1		1	..	Misdemeanor	3 days jail or \$3.
1		2	..	Misdemeanor	1 day jail or \$1.
1		2	..	Misdemeanor	1 day jail.
1		3	..	Misdemeanor	Asylum.
1		2	..	Misdemeanor	Not stated.
1		2	..	Misdemeanor	4 months penitentiary.
1		1	..	Misdemeanor	3 months penitentiary.
1		1	..	Misdemeanor	2 months penitentiary.
1		1	..	Misdemeanor	30 days jail.
1		1	..	Misdemeanor	Fined \$25.
1		1	..	Misdemeanor	Fined \$10.
1		1	..	Misdemeanor	Not stated.
1		1	..	Vagrancy	Not stated.
				Total, 60 ; men, 58 ; women, 2.	
1	Third quarter	1	..	Assault, third degree.	3 months penitentiary.
1		1	..	Assault, third degree.	20 days jail or \$20.
1		1	..	Assault, third degree.	10 days jail or \$10.
1		1	..	Assault, third degree.	10 days jail.
2		2	..	Intoxication	3 months penitentiary.
1		1	..	Intoxication	180 days jail.
1		3	..	Intoxication	30 days jail.
3		3	..	Intoxication	10 days jail or \$10.
3		4	..	Intoxication	10 days jail.
4		..	..	Intoxication	6 days jail or \$6.
1		1	1	Intoxication	5 days jail or \$5.
3		3	..	Intoxication	3 days jail or \$3.
1		1	..	Intoxication	1 day jail or \$1.
15		15	..	Intoxication	1 day jail.
3		3	..	Intoxication	3 months penitentiary.
1		1	..	Misdemeanor	2 months penitentiary.
1		2	..	Misdemeanor	2 months penitentiary.

TABLE K—COUNTY OF ULSTER—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
3	Fourth quarter	8	1	Misdemeanor	5 days jail.
4		8		Misdemeanor	5 days jail.
1		1		Misdemeanor	2 days jail or \$2.
1		1		Misdemeanor	2 days jail.
6		6		Misdemeanor	2 days jail.
1		1		Misdemeanor	1 day jail or \$1.
1		1		Misdemeanor	Fined \$5.
1		1		Misdemeanor	Fined \$1.
1		1		Misdemeanor	Adjudged a disorderly person.
1		1		Misdemeanor	Asylum.
6		1		Petit larceny	6 months penitentiary.
1		1		Petit larceny	4 months penitentiary.
1		1		Petit larceny	2 months penitentiary.
1		1		Petit larceny	60 days jail.
1		1		Petit larceny	30 days jail.
1		1		Petit larceny	10 days jail or \$10.
1		1		Petit larceny	5 days jail.
2		2		Vagrancy	6 months penitentiary.
1		1		Vagrancy	30 days jail.
1		1		Vagrancy	10 days jail.
4		4		Vagrancy	Not stated.

Total, 104; men, 97; women, 7.

COUNTY OF WARREN

	First quarter		Assault, third degree.....	Suspended.
1	.	1	Intoxication.....	6 months penitentiary.
1	.	1	Intoxication.....	8 months penitentiary.
6	.	2	Intoxication.....	2 months penitentiary.
2	.	2	Intoxication.....	150 days jail.
1	.	1	Intoxication.....	120 days jail.
2	.	1	Intoxication.....	90 days jail.
1	.	1	Intoxication.....	60 days jail.
2	.	1	Intoxication.....	30 days jail.
2	.	1	Intoxication.....	25 days jail.

52	Intoxication	.....	.....	.....	15 days jail.
2	Intoxication	.....	.....	.....	10 days jail.
1	Intoxication	.....	.....	.....	Fined \$6.75.
7	Intoxication	.....	.....	.....	Fined \$5.
8	Intoxication	.....	.....	.....	Fined \$3.
3	Intoxication	.....	.....	.....	Fined \$2.
1	Intoxication	.....	.....	.....	Not stated.
52	Intoxication	.....	.....	.....	Suspended.
1	Misdemeanor	.....	.....	.....	Bond required; not stated.
1	Misdemeanor	.....	.....	.....	Not stated.
1	Misdemeanor	.....	.....	.....	State Industrial School.
5	Misdemeanor	.....	.....	.....	Suspended.
1	Petit larceny	.....	.....	.....	6 months penitentiary.
1	Petit larceny	.....	.....	.....	3 months penitentiary.
1	Petit larceny	.....	.....	.....	20 days jail.
1	Petit larceny	.....	.....	.....	Suspended.
1	Vagrancy	.....	.....	.....	120 days jail.
1	Vagrancy	.....	.....	.....	Not stated.
Total, 120; men, 115; women, 5.					

1	Assault, third degree	.....	.....	.....	Fined \$10.
2	Assault, third degree	.....	.....	.....	Suspended.
1	Intoxication	.....	.....	.....	6 months penitentiary.
1	Intoxication	.....	.....	.....	2 months penitentiary.
1	Intoxication	.....	.....	.....	120 days jail.
4	Intoxication	.....	.....	.....	60 days jail.
1	Intoxication	.....	.....	.....	50 days jail.
4	Intoxication	.....	.....	.....	30 days jail.
7	Intoxication	.....	.....	.....	20 days jail.
8	Intoxication	.....	.....	.....	15 days jail.
1	Intoxication	.....	.....	.....	Fined \$4.
1	Intoxication	.....	.....	.....	Fined \$3.
2	Intoxication	.....	.....	.....	Fined \$2.
55	Intoxication	.....	.....	.....	Not stated.
7	Misdemeanor	.....	.....	.....	Suspended.
1	Petit larceny	.....	.....	.....	Suspended.
2	Petit larceny	.....	.....	.....	Probation.
1	Petit larceny	.....	.....	.....	Suspended.
1	Vagrancy	.....	.....	.....	Suspended.
Total, 99; men, 97; women, 2.					

1	Assault, third degree	.....	.....	.....	180 days jail and \$10.
1	Assault, third degree	.....	.....	.....	Fined \$20.
4	Assault, third degree	.....	.....	.....	Suspended.

TABLE K — COUNTY OF WARREN — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Third quarter	1	.....	Intoxication	4 months penitentiary.
2		2	.....	Intoxication	2 months penitentiary.
2		1	1	Intoxication	60 days jail.
1		1	1	Intoxication	30 days jail or \$10.
1		1	.....	Intoxication	30 days jail or \$7.
1		1	.....	Intoxication	30 days jail or \$5.
2		2	.....	Intoxication	30 days jail.
2		1	.....	Intoxication	25 days jail.
1		5	.....	Intoxication	20 days jail.
3		2	.....	Intoxication	15 days jail.
2		1	.....	Intoxication	10 days jail.
1		5	.....	Intoxication	Fined \$15.
1		1	.....	Intoxication	Fined \$5.
1		1	.....	Intoxication	Fined \$4.
1		10	1	Intoxication	Fined \$3.
1		1	.....	Intoxication	Fined \$2.
1		1	.....	Intoxication	Not stated.
1		1	.....	Intoxication	Suspended.
7		7	3	Intoxication	Asylum.
2		2	.....	Misdemeanor	Not stated.
1		1	.....	Misdemeanor	Suspended.
1		10	9	Misdemeanor	6 months penitentiary.
1		1	.....	Petit larceny	30 days jail.
1		1	.....	Petit larceny	Suspended.
3		3	.....	Petit larceny	
Total, 160; men, 140; women, 14.					
1	Fourth quarter	1	.....	Assault, third degree.	Fined \$50.
3		3	.....	Intoxication	5 months penitentiary.
2		2	.....	Intoxication	2 months penitentiary.
1		1	.....	Intoxication	180 days jail.
3		3	.....	Intoxication	90 days jail.
3		3	.....	Intoxication	60 days jail.
1		1	.....	Intoxication	30 days jail.

TABLE K — COUNTY OF WASHINGTON — (Continued)

Number of convictions	When convicted	Males	Females	Offense	Sentence
1	Second quarter	1	.....	Intoxication	.....
1	1	.....	Intoxication	.....
1	1	.....	Misdemeanor	.....
1	1	.....	Misdemeanor	.....
1	1	.....	Misdemeanor	.....
1	2	.....	Misdemeanor	.....
1	1	.....	Misdemeanor	.....
1	2	.....	Misdemeanor	.....
1	1	.....	Petit larceny	.....
1	1	.....	Petit larceny	.....
1	2	.....	Petit larceny	.....
1	1	.....	Petit larceny	.....
1	2	.....	Vagrancy	.....
1	1	.....	Vagrancy	.....
1	7	.....	Vagrancy	.....
1	2	.....	Vagrancy	.....
1	1	.....	Vagrancy	.....
Total, 32; men, 32; women, 0.					
1	Third quarter	1	.....	Assault, third degree	.....
1	1	.....	Assault, third degree	.....
1	1	.....	Intoxication	.....
1	1	.....	Intoxication	.....
1	2	.....	Intoxication	.....
1	1	.....	Intoxication	.....
1	3	.....	Intoxication	.....
1	1	.....	Intoxication	.....
1	2	.....	Intoxication	.....
1	1	.....	Misdemeanor	.....
1	1	.....	Misdemeanor	.....
1	1	.....	Misdemeanor	.....
1	1	Misdemeanor
1	1	Misdemeanor
1	1	Misdemeanor
1	1	Petit larceny
1	1	Petit larceny

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2	1	Vagrancy	2 months penitentiary.
1	1	Vagrancy	Adjudged a vagrant.
Total, 20; men, 24; women, 2.			
Fourth quarter			
1	1	Intoxication	180 days jail.
2	2	Intoxication	120 days jail.
3	2	Intoxication	60 days jail.
4	4	Intoxication	30 days jail.
1	1	Intoxication	10 days jail or \$10.
4	4	Intoxication	10 days jail.
3	3	Intoxication	5 days jail or \$5.
1	1	Intoxication	Suspended.
1	1	Misdemeanor	180 days jail.
1	1	Misdemeanor	25 days jail or \$25.
1	1	Misdemeanor	20 days jail.
2	2	Misdemeanor	10 days jail or \$10.
1	1	Misdemeanor	Suspended.
1	1	Petit larceny	120 days jail.
1	1	Petit larceny	30 days jail.
1	1	Vagrancy	6 months penitentiary.
1	1	Vagrancy	3 months penitentiary.
3	3	Vagrancy	2 months penitentiary.
1	1	Vagrancy	Adjudged a vagrant.
Total, 32; men, 32; women, 0.			

COUNTY OF WAYNE

First quarter			
1	1	Assault, third degree	
1	1	Assault, third degree	
1	1	Assault, third degree	
1	1	Assault, third degree	
1	1	Assault, third degree	
1	1	Assault, third degree	
1	1	Intoxication	
1	1	Intoxication	
1	1	Intoxication	
2	2	Intoxication	
1	1	Intoxication	
1	1	Intoxication	
5	5	Intoxication	
1	1	Intoxication	
13	13	Intoxication	
2	2	Intoxication	
2	2	Intoxication	

TABLE K—COUNTY OF WAYNE—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	First quarter	2	.....	Intoxication	
1		1	.....	Intoxication	
1		1	.....	Intoxication	
1		1	.....	Misdemeanor	
1		1	.....	Misdemeanor	
2		2	.....	Misdemeanor	
2		2	.....	Petit larceny	
1		1	.....	Vagrancy	
1		1	.....	Vagrancy	
1		1	.....	Vagrancy	
9		9	.....	Vagrancy	
				Total, 58; men, 58; women, 0.	
1	Second quarter	1	.....	Assault, third degree	
2		1	.....	Assault, third degree	
1		1	.....	Intoxication	
1		1	.....	Intoxication	
5		5	.....	Intoxication	
3		3	.....	Intoxication	
3		3	.....	Intoxication	
4		4	.....	Intoxication	
2		2	.....	Intoxication	
1		1	.....	Misdemeanor	
2		2	.....	Misdemeanor	
2		2	.....	Misdemeanor	
2		2	.....	Misdemeanor	
1		1	.....	Misdemeanor	
1		1	.....	Misdemeanor	
3		3	.....	Misdemeanor	
2		2	.....	Misdemeanor	
1		1	.....	Petit larceny	
1		1	Petit larceny	
1		1	Petit larceny	
1		1	Petit larceny	
				Total, 58; men, 58; women, 0.	

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1	1	Assault, third degree.	5 days jail.
4	1	Assault, third degree.	Fined \$25.
1	1	Assault, third degree.	Fined \$15.
6	1	Assault, third degree.	.....	Suspended.
1	1	Intoxication	.....	4 months penitentiary.
1	1	Intoxication	.....	3 months penitentiary.
2	2	Intoxication	.....	2 months penitentiary.
3	3	Intoxication	.....	180 days jail.
4	4	Intoxication	.....	120 days jail.
3	3	Intoxication	.....	90 days jail.
3	3	Intoxication	.....	60 days jail.
5	5	Intoxication	.....	59 days jail.
4	1	Intoxication	.....	30 days jail or \$30.
1	1	Intoxication	.....	30 days jail.
1	1	Intoxication	.....	29 days jail.
2	2	Intoxication	.....	25 days jail.
2	2	Intoxication	.....	20 days jail.
1	1	Intoxication	.....	15 days jail or \$15.
2	2	Intoxication	.....	15 days jail.
15	15	Intoxication	.....	10 days jail or \$10.
8	8	Intoxication	.....	10 days jail.
20	20	Intoxication	.....	5 days jail or \$5.
6	6	Intoxication	.....	5 days jail.
42	42	Intoxication	.....	3 days jail or \$3.
1	1	Intoxication	.....	3 days jail.
6	6	Intoxication	.....	2 days jail or \$2.
5	5	Intoxication	.....	2 days jail.
1	1	Intoxication	.....	Jail; not stated.
1	1	Intoxication	.....	Fined \$20.
1	1	Intoxication	.....	Fined \$15.
1	1	Intoxication	.....	Fined \$10.
1	1	Intoxication	.....	Fined \$5.
15	15	Intoxication	.....	Fined \$4.50.
1	1	Intoxication	.....	Fined \$3.
3	3	Intoxication	.....	Fined \$2.
2	2	Intoxication	.....	Suspended.
69	69	Intoxication	.....	180 days jail.
6	6	Misdemeanor	.....	90 days jail.
6	6	Misdemeanor	.....	60 days jail.
7	7	Misdemeanor	.....	59 days jail.
5	5	Misdemeanor	.....	50 days jail or \$50.
1	1	Misdemeanor	.....	30 days jail.
4	4	Misdemeanor	.....	25 days jail.
1	1	Misdemeanor	.....	20 days jail.
4	4	Misdemeanor	.....	15 days jail.
5	5	Misdemeanor	.....	10 days jail or \$10.
1	1	Misdemeanor	.....	10 days jail.
7	7	Misdemeanor	.....	5 days jail.
5	5	Misdemeanor	.....	5 days jail.

TABLE K—COUNTY OF WESTCHESTER—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	First quarter	1	.....	Misdemeanor	Jail: not stated.
4		4	.....	Misdemeanor	Fined \$50.
5		5	.....	Misdemeanor	Fined \$25.
2		2	.....	Misdemeanor	Fined \$15.
1		1	.....	Misdemeanor	Fined \$10.
1		1	.....	Misdemeanor	Fined \$5.
2		2	.....	Misdemeanor	Fined \$3.
3		3	.....	Misdemeanor	Fined \$2.
6		6	.....	Misdemeanor	Fined \$1.
2		2	.....	Misdemeanor	Asylum.
3		3	.....	Misdemeanor	Suspended.
9		9	.....	Misdemeanor	3 months penitentiary.
3		3	.....	Misdemeanor	4 months penitentiary.
1		1	.....	Petit larceny	3 months penitentiary.
1		1	.....	Petit larceny	180 days jail.
1		1	.....	Petit larceny	120 days jail.
3		3	.....	Petit larceny	59 days jail.
1		1	.....	Petit larceny	50 days jail or \$50.
2		2	.....	Petit larceny	30 days jail and \$30.
1		1	.....	Petit larceny	30 days jail.
3		3	.....	Petit larceny	10 days jail or \$10.
1		1	.....	Petit larceny	10 days jail.
1		1	.....	Petit larceny	5 days jail or \$5.
3		3	.....	Petit larceny	Fined \$25.
1		1	.....	Petit larceny	Probation.
1		1	.....	Petit larceny	Suspended.
5		5	.....	Petit larceny	500 days jail or \$500.
1		1	.....	Vagrancy	180 days jail.
1		1	.....	Vagrancy	90 days jail.
8		8	.....	Vagrancy	60 days jail.
5		5	.....	Vagrancy	59 days jail.
2		2	.....	Vagrancy	30 days jail.
6		6	.....	Vagrancy	15 days jail.
1		1	.....	Vagrancy	10 days jail.
1		1	.....	Vagrancy	5 days jail.
3		3	.....	Vagrancy	5 days jail.

2	2	Vagrancy	Fined \$20.
13	13	Vagrancy	Suspended.
		Total, 526; men, 493; women, 33.	
Second quarter			
1	1	Assault, third degree.	180 days jail.
3	3	Assault, third degree.	120 days jail.
9	9	Assault, third degree.	90 days jail.
2	2	Assault, third degree.	60 days jail.
1	1	Assault, third degree.	59 days jail.
2	2	Assault, third degree.	50 days jail or \$50.
1	1	Assault, third degree.	50 days jail.
2	2	Assault, third degree.	30 days jail.
1	1	Assault, third degree.	25 days jail or \$25.
1	1	Assault, third degree.	15 days jail or \$15.
1	1	Assault, third degree.	15 days jail.
		Assault, third degree.	Fined \$25.
		Assault, third degree.	Fined \$15.
		Assault, third degree.	Fined \$10.
		Assault, third degree.	Fined \$1.
		Assault, third degree.	Not stated.
		Assault, third degree.	Suspended.
		Intoxication	180 days jail.
		Intoxication	120 days jail.
		Intoxication	90 days jail.
		Intoxication	60 days jail.
		Intoxication	59 days jail.
		Intoxication	45 days jail.
		Intoxication	30 days jail.
		Intoxication	25 days jail or \$25.
		Intoxication	20 days jail.
		Intoxication	15 days jail or \$15.
		Intoxication	15 days jail.
		Intoxication	10 days jail or \$10.
		Intoxication	10 days jail.
		Intoxication	9 days jail.
		Intoxication	5 days jail.
		Intoxication	3 days jail or \$3.
		Intoxication	3 days jail.
		Intoxication	Fined \$10.
		Intoxication	Fined \$5.
		Intoxication	Fined \$3.
		Intoxication	Fined \$2.
		Intoxication	Fined \$1.
		Intoxication	Asylum.
		Intoxication	Bedford reformatory.
		Intoxication	Suspended.

TABLE K — COUNTY OF WESTCHESTER — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
1	Second quarter	1	.....	Misdemeanor	3 months penitentiary.
1		1	.....	Misdemeanor	365 days jail.
1		1	.....	Misdemeanor	180 days jail.
7		5	2	Misdemeanor	120 days jail.
3		3	.....	Misdemeanor	90 days jail.
5		5	.....	Misdemeanor	60 days jail.
8		8	3	Misdemeanor	59 days jail.
2		2	.....	Misdemeanor	50 days jail.
1		1	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	20 days jail or \$20.
15		14	1	Misdemeanor	20 days jail.
1		1	.....	Misdemeanor	15 days jail.
1		1	.....	Misdemeanor	10 days jail.
2		2	.....	Misdemeanor	5 days jail or \$5.
10		10	.....	Misdemeanor	5 days jail.
2		2	.....	Misdemeanor	Fined \$50.
7		7	.....	Misdemeanor	Fined \$25.
2		2	.....	Misdemeanor	Fined \$15.
4		4	.....	Misdemeanor	Fined \$10.
4		4	.....	Misdemeanor	Fined \$5.
5		5	.....	Misdemeanor	Fined \$3.
12		12	.....	Misdemeanor	Fined \$2.
20		20	.....	Misdemeanor	Fined \$1.
6		5	1	Misdemeanor	Asylum.
2		2	.....	Misdemeanor	Bond required ; not stated.
1		1	13	Misdemeanor	Probation.
86		23	.....	Misdemeanor	State Industrial School.
1		1	.....	Misdemeanor	Suspended.
1		1	.....	Misdemeanor	240 days jail.
2		2	.....	Petit larceny	180 days jail.
1		1	.....	Petit larceny	120 days jail.
1		1	.....	Petit larceny	90 days jail.
1		1	.....	Petit larceny	60 days jail.
1		1	.....	Petit larceny	30 days jail.
1		1	.....	Petit larceny	15 days jail.
1		1	.....	Petit larceny	10 days jail.

TABLE K — COUNTY OF WESTCHESTER — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
2	Fourth quarter	1	1	Assault, third degree.....	Fined \$5.
1		1	.....	Assault, third degree.....	Fined \$1.
8		6	2	Assault, third degree.....	Suspended.
6		6	.....	Intoxication	6 months penitentiary.
1		1	.....	Intoxication	4 months penitentiary.
4		4	.....	Intoxication	3 months penitentiary.
2		2	.....	Intoxication	1 month penitentiary.
1		1	.....	Intoxication	45 days penitentiary.
5		5	.....	Intoxication	10 days penitentiary.
1		.....	1	Intoxication	180 days jail.
1		.....	1	Intoxication	120 days jail.
1		.....	1	Intoxication	15 days jail.
1		.....	1	Intoxication	10 days jail.
3		3	.....	Intoxication	5 days jail.
1		1	.....	Intoxication	4 days jail.
1		.....	1	Intoxication	3 days jail.
1		.....	1	Intoxication	Fined \$10.
5		4	1	Intoxication	Fined \$5.
3		3	.....	Intoxication	Fined \$4.
1		1	.....	Intoxication	Fined \$3.
1		.....	1	Intoxication	Fined \$2.
2		2	.....	Intoxication	Fined \$1.25.
1		1	.....	Intoxication	Fined \$1.
1		1	.....	Intoxication	Asylum.
3		.....	2	Intoxication	Redford reformatory.
1		.....	1	Intoxication	Suspended.
34		33	1	Intoxication	8 months penitentiary.
1		1	.....	Misdemeanor	6 months penitentiary.
6		6	.....	Misdemeanor	4 months penitentiary.
4		4	.....	Misdemeanor	3 months penitentiary.
4		4	.....	Misdemeanor	2 months penitentiary.
4		4	.....	Misdemeanor	1 month penitentiary.
6		6	.....	Misdemeanor	25 days penitentiary.
1		1	.....	Misdemeanor	15 days penitentiary.
1		1	.....	Misdemeanor	10 days penitentiary.
1		1	.....	Misdemeanor	5 days penitentiary.

1	1	1	Misdemeanor	.....	180 days jail.
1	1	1	Misdemeanor	.....	90 days jail.
3	2	1	Misdemeanor	.....	30 days jail.
1	1	4	Misdemeanor	.....	25 days jail.
4	1	1	Misdemeanor	.....	10 days jail.
1	1	1	Misdemeanor	.....	5 days jail.
1	1	1	Misdemeanor	.....	Not stated.
1	1	1	Misdemeanor	.....	Fined \$50.
1	1	1	Misdemeanor	.....	Fined \$30.
3	1	1	Misdemeanor	.....	Fined \$25.
8	1	1	Misdemeanor	.....	Fined \$20.
12	6	12	Misdemeanor	.....	Fined \$15.
66	6	66	Misdemeanor	.....	Fined \$10.
69	6	69	Misdemeanor	.....	Fined \$5.
2	7	2	Misdemeanor	.....	Fined \$4.
6	6	1	Misdemeanor	.....	Fined \$3.
19	17	17	Misdemeanor	.....	Fined \$2.
28	18	2	Misdemeanor	.....	Fined \$1.
2	2	10	Misdemeanor	.....	Asylum.
2	2	6	Misdemeanor	.....	Not stated.
99	93	93	Misdemeanor	.....	State Industrial School.
8	8	8	Petit larceny	.....	Suspended
2	2	2	Petit larceny	.....	6 months penitentiary.
4	4	4	Petit larceny	.....	4 months penitentiary.
2	2	2	Petit larceny	.....	3 months penitentiary.
2	1	1	Petit larceny	.....
1	1	1	Petit larceny	.....
4	4	4	Petit larceny	.....
1	1	1	Vagrancy	.....
4	4	3	Vagrancy	.....
1	1	1	Vagrancy	.....
3	3	3	Vagrancy	.....
1	1	1	Vagrancy	.....
1	1	1	Vagrancy	.....
1	1	1	Vagrancy	.....
1	1	1	Vagrancy	.....
5	5	1	Vagrancy	.....	Suspended.
Total, 513; men, 471; women, 42.					
COUNTY OF WYOMING					
1	1	1	Assault, third degree	.....	6 months penitentiary.
1	1	1	Assault, third degree	.....	10 days jail.
1	1	1	Assault, third degree	.....	Suspended.

TABLE K--COUNTY OF WYOMING--(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
Third quarter					
2	2	.....	Petit larceny	1.
1	1	.....	Petit larceny	
1	1	.....	Petit larceny	
1	1	.....	Vagrancy	
1	1	.....	Vagrancy	
1	1	.....	Violation Liquor Tax Law	
Total, 47: men, 46; women, 1.					
Fourth quarter					
1	1	.....	Assault, third degree	10 days jail or \$10.
1	1	.....	Assault, third degree	5 days jail or \$5.
1	1	.....	Intoxication	2 months penitentiary or \$10.
1	1	.....	Intoxication	2 months penitentiary or \$7.
1	1	.....	Intoxication	2 months penitentiary.
1	1	.....	Intoxication	59 days penitentiary.
1	1	.....	Intoxication	30 days jail.
1	1	.....	Intoxication	16 days jail or \$5.
1	1	.....	Intoxication	10 days jail or \$3.
7	7	.....	Intoxication	5 days jail or \$5.
4	4	.....	Intoxication	Fined \$10.
1	1	.....	Intoxication	Fined \$5.
1	1	.....	Intoxication	Fined \$3.
3	3	.....	Intoxication	Suspended.
1	1	.....	Misdemeanor	120 days jail.
1	1	.....	Misdemeanor	90 days jail.
1	1	.....	Misdemeanor	59 days jail.
2	2	.....	Misdemeanor	30 days jail or \$10.
1	1	.....	Misdemeanor	25 days jail or \$25.
1	1	.....	Misdemeanor	7 days jail or \$7.
3	3	.....	Misdemeanor	9 days jail or \$3.
26	26	.....	Misdemeanor	Not stated.
3	3	.....	Misdemeanor	Suspended.
3	3	.....	Misdemeanor	20 days jail.
1	1	.....	Petit larceny	Not stated.
1	1	.....	Petit larceny	3 months penitentiary.
1	1	.....	Vagrancy	
Total, 61: men 53, women, 8					

COUNTY OF YATES

First quarter	1	1	Assault, third degree	1	40 days jail.
	1	1	Assault, third degree	1	Suspended.
	1	1	Intoxication	1	3 months penitentiary.
	5	5	Intoxication	5	30 days jail or \$5.
	6	6	Intoxication	6	Fined \$5.
	1	1	Intoxication	1	Suspended.
	1	1	Misdemeanor	1	48 days jail or \$48.
	1	1	Misdemeanor	1	30 days jail or \$10.
	1	1	Misdemeanor	1	Fined \$10.
	6	6	Misdemeanor	6	Fined \$5.
	7	7	Misdemeanor	7	Suspended.
	2	2	Misdemeanor	2	60 days jail.
	1	1	Petit larceny	1	5 days jail and \$5.50.
	1	1	Petit larceny	1	Suspended.
	1	1	Petit larceny	1	Suspended.
Total, 36; men, 35; women, 1.					
Second quarter	1	1	Intoxication	1	6 months penitentiary.
	1	1	Intoxication	1	90 days jail.
	1	1	Intoxication	1	30 days jail.
	1	1	Intoxication	1	25 days jail or \$25.
	1	1	Intoxication	1	Fined \$25.
	1	1	Intoxication	1	Fined \$10.
	1	1	Intoxication	1	Fined \$5.
	1	1	Misdemeanor	1	
Total, 7; men, 7; women, 0.					
Third quarter	2	2	Assault, thlrd degree	2	Fined \$5.
	1	1	Intoxication	1	6 months penitentiary.
	1	1	Intoxication	1	90 days jail.
	1	1	Intoxication	1	60 days jail or \$5.
	1	1	Intoxication	1	40 days jail or \$10.
	2	2	Intoxication	2	30 days jail or \$10.
	1	1	Intoxication	1	30 days jail or \$8.
	2	2	Intoxication	2	30 days jail or \$6.
	5	5	Intoxication	5	30 days jail or \$5.
	4	4	Intoxication	4	20 days jail or \$5.
	3	3	Intoxication	3	15 days jail or \$7.
	1	1	Intoxication	1	15 days jail or \$5.
	3	3	Intoxication	3	10 days jail or \$5.
	3	3	Intoxication	3	10 days jail or \$3.
	1	1	Intoxication	1	10 days jail.
	3	3	Intoxication	3	5 days jail or \$5.
	1	1	Intoxication	1	Fined \$6; probation.
	2	2	Intoxication	2	Fined \$3.
	1	1	Intoxication	1	

TABLE K—COUNTY OF WYOMING—(Continued)

Number of convictions	When Convicted	Males	Females	OFFENSE	SENTENCE
2	Third quarter	2	.....	Petit larceny	1.
1	1	.....	Petit larceny	
1	1	.....	Petit larceny	
1	1	.....	Vagrancy	
1	1	.....	Vagrancy	
1	1	.....	Violation Liquor Tax Law	
		Total, 47, men, 46; women, 1.			
1	Fourth quarter	1	.....	Assault, third degree	10 days jail or \$10.
1	1	.....	Assault, third degree	5 days jail or \$5.
1	1	.....	Intoxication	2 months penitentiary or \$10.
1	1	.....	Intoxication	2 months penitentiary or \$7.
1	1	.....	Intoxication	2 months penitentiary.
1	1	.....	Intoxication	59 days penitentiary.
1	1	.....	Intoxication	30 days jail.
1	1	.....	Intoxication	15 days jail or \$5.
1	1	.....	Intoxication	10 days jail or \$3.
7	7	.....	Intoxication	5 days jail or \$5.
4	4	.....	Intoxication	Fined \$10.
1	1	.....	Intoxication	Fined \$5.
1	1	.....	Intoxication	Fined \$3.
8	8	.....	Intoxication	Suspended.
1	1	.....	Misdemeanor	120 days jail.
1	1	.....	Misdemeanor	90 days jail.
2	2	.....	Misdemeanor	59 days jail.
1	1	.....	Misdemeanor	30 days jail or \$10.
1	1	.....	Misdemeanor	25 days jail or \$25.
3	3	.....	Misdemeanor	7 days jail or \$7.
26	26	.....	Misdemeanor	3 days jail or \$3.
3	3	.....	Misdemeanor	Not stated.
3	3	.....	Misdemeanor	Suspended.
3	3	.....	Petit larceny	20 days jail.
1	1	.....	Petit larceny	Not stated.
1	1	.....	Vagrancy	3 months penitentiary.
		Total, 63 men 63, women, 0			

COUNTY OF YATES

1	First quarter	1	Assault, third degree	40 days jail.
1		1	Assault, third degree	Suspended.
1		1	Intoxication	3 months penitentiary.
5		5	Intoxication	30 days jail or \$5.
6		6	Intoxication	Fined \$5.
1		1	Intoxication	Suspended.
1		1	Misdemeanor	49 days jail or \$49.
1		1	Misdemeanor	30 days jail or \$10.
1		1	Misdemeanor	Fined \$10.
6		6	Misdemeanor	Fined \$5.
7		7	Misdemeanor	Suspended.
2		2	Misdemeanor	60 days jail.
1		1	Petit larceny	5 days jail and \$5.50.
1		1	Petit larceny	Suspended.
1		1	Petit larceny	Suspended.
1		1	Vagrancy	Suspended.
Total, 36: men, 35; women, 1.				
1	Second quarter	1	Intoxication	6 months penitentiary.
1		1	Intoxication	90 days jail.
1		1	Intoxication	30 days jail.
1		1	Intoxication	25 days jail or \$25.
1		1	Intoxication	Fined \$25.
1		1	Intoxication	Fined \$10.
1		1	Intoxication	Fined \$5.
1		1	Misdemeanor	
Total, 7: men, 7; women, 0.				
2	Third quarter	2	Assault, third degree	Fined \$5.
1		1	Intoxication	6 months penitentiary.
1		1	Intoxication	90 days jail.
1		1	Intoxication	60 days jail or \$5.
1		1	Intoxication	40 days jail or \$10.
2		2	Intoxication	30 days jail or \$10.
1		1	Intoxication	30 days jail or \$8.
2		2	Intoxication	30 days jail or \$6.
5		5	Intoxication	30 days jail or \$5.
4		4	Intoxication	20 days jail or \$5.
3		3	Intoxication	15 days jail or \$7.
1		1	Intoxication	15 days jail or \$5.
3		3	Intoxication	10 days jail or \$5.
3		3	Intoxication	10 days jail or \$3.
1		1	Intoxication	10 days jail.
3		3	Intoxication	5 days jail or \$5.
1		1	Intoxication	Fined \$6: probation.
2		2	Intoxication	Fined \$3.
1		1	Intoxication	

TABLE K — COUNTY OF YATES — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE	SENTENCE
3	Third quarter	3	.....	Misdemeanor	30 days jail.
1		1	.....	Misdemeanor	5 days jail or \$5.
1		1	.....	Misdemeanor	Fined \$20.
2		2	.....	Misdemeanor	Fined \$5.
3		3	.....	Misdemeanor	Fined \$2.
1		.....	1	Misdemeanor	Asylum.
1		1	.....	Misdemeanor	Not stated.
1		1	.....	Petit larceny	6 months penitentiary.
1		1	.....	Petit larceny	30 days jail.
1		1	.....	Petit larceny	Suspended.
1		1	.....	Vagrancy	3 months penitentiary.
6		6	.....	Vagrancy	2 months penitentiary.
		Total, 58; men, 57; women, 1.			
2	Fourth quarter	2	.....	Intoxication	Fined \$10.
1		1	.....	Misdemeanor	Bond required \$200.
1		1	.....	Petit larceny	90 days jail.
		Total, 4; men, 4; women, 0.			

TABLE L

Showing total number of convictions for the year, by counties.

COUNTY OF ALBANY

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
21	First quarter.....	22	2	Assault, third degree.
20	Second quarter.....	19	1	Assault, third degree.
20	Third quarter.....	18	2	Assault, third degree.
23	Fourth quarter.....	17	6	Assault, third degree.
87		76	11	
241	First quarter.....	238	11	Intoxication.
191	Second quarter.....	186	5	Intoxication.
124	Third quarter.....	118	6	Intoxication.
100	Fourth quarter.....	99	10	Intoxication.
684		632	32	
195	First quarter.....	174	21	Misdemeanor.
166	Second quarter.....	159	7	Misdemeanor.
179	Third quarter.....	157	22	Misdemeanor.
126	Fourth quarter.....	113	13	Misdemeanor.
646		603	63	
43	First quarter.....	42	3	Petit larceny.
31	Second quarter.....	30	1	Petit larceny.
37	Third quarter.....	37	.....	Petit larceny.
46	Fourth quarter.....	45	1	Petit larceny.
159		154	5	
97	First quarter.....	96	1	Vagrancy.
69	Second quarter.....	62	7	Vagrancy.
71	Third quarter.....	71	.....	Vagrancy.
39	Fourth quarter.....	37	2	Vagrancy.
276		266	10	

Total, 1,852 ; men, 1,731 ; women, 121.

COUNTY OF ALLEGANY

3	First quarter.....	3	.....	Assault, third degree.
3	Fourth quarter.....	3	.....	Assault, third degree.
6		6	.....
14	First quarter.....	14	.....	Intoxication.
18	Second quarter.....	18	.....	Intoxication.
21	Third quarter.....	21	.....	Intoxication.
8	Fourth quarter.....	8	.....	Intoxication.
61		61	.....
1	First quarter.....	1	.....	Misdemeanor.
6	Second quarter.....	6	.....	Misdemeanor.
14	Third quarter.....	14	.....	Misdemeanor.
8	Fourth quarter.....	8	.....	Misdemeanor.
29		29	.....
2	First quarter.....	2	.....	Petit larceny.
2	Second quarter.....	2	.....	Petit larceny.
2	Fourth quarter.....	2	.....	Petit larceny.
6		6	.....

TABLE I.—COUNTY OF ALLEGANY—(Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
2	First quarter.....	2	.....	Vagrancy.
1	Second quarter.....	1	.....	Vagrancy.
1	Third quarter.....	1	.....	Vagrancy.
1	Fourth quarter.....	1	.....	Vagrancy.
5		5	.....

Total, 107 ; men, 107 ; women, 0.

COUNTY OF BRONX

11	First quarter.....	11	.....	Assault, third degree.
3	Second quarter.....	3	.....	Assault, third degree.
4	Third quarter.....	4	.....	Assault, third degree.
11	Fourth quarter.....	11	.....	Assault, third degree.
29		29	.....
60	First quarter.....	56	4	Misdemeanor.
105	Second quarter.....	97	8	Misdemeanor.
96	Third quarter.....	90	6	Misdemeanor.
67	Fourth quarter.....	63	4	Misdemeanor.
328		306	22	
39	First quarter.....	36	3	Petit larceny.
46	Second quarter.....	43	3	Petit larceny.
66	Third quarter.....	62	4	Petit larceny.
53	Fourth quarter.....	47	6	Petit larceny.
204		188	16	
12	First quarter.....	10	2	Violation Liquor Tax Law.
18	Second quarter.....	17	1	Violation Liquor Tax Law.
12	Third quarter.....	11	1	Violation Liquor Tax Law.
18	Fourth quarter.....	17	1	Violation Liquor Tax Law.
60		55	5	

Total, 621 ; men, 578 ; women, 43.

COUNTY OF BROOME

6	First quarter.....	6	.....	Assault, third degree.
10	Second quarter.....	10	.....	Assault, third degree.
9	Third quarter.....	9	.....	Assault, third degree.
11	Fourth quarter.....	11	.....	Assault, third degree.
36		36	.....
204	First quarter.....	194	10	Intoxication.
165	Second quarter.....	153	10	Intoxication.
213	Third quarter.....	210	3	Intoxication.
156	Fourth quarter.....	155	1	Intoxication.
738		714	24	
39	First quarter.....	32	7	Misdemeanor.
26	Second quarter.....	20	6	Misdemeanor.
42	Third quarter.....	37	5	Misdemeanor.
47	Fourth quarter.....	47	.....	Misdemeanor.
154		136	18	

TABLE L — COUNTY OF BROOME — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
17	First quarter.....	17	.....	Petit larceny.
15	Second quarter.....	14	1	Petit larceny.
12	Third quarter.....	12	.....	Petit larceny.
12	Fourth quarter.....	12	.....	Petit larceny.
56		55	1	
4	Second quarter.....	2	2	Vagrancy.
5	Third quarter.....	5	.....	Vagrancy.
4	Fourth quarter.....	4	.....	Vagrancy.
13		11	2	

Total. 997 ; men, 952 ; women, 45.

COUNTY OF CATTARAUGUS

7	First quarter.....	5	2	Assault, third degree.
11	Second quarter.....	10	1	Assault, third degree.
4	Third quarter.....	3	1	Assault, third degree.
14	Fourth quarter.....	14	.....	Assault, third degree.
36		32	4	
242	First quarter.....	242	.....	Intoxication.
166	Second quarter.....	164	2	Intoxication.
199	Third quarter.....	197	2	Intoxication.
171	Fourth quarter.....	169	2	Intoxication.
778		772	6	
54	First quarter.....	48	6	Misdemeanor.
55	Second quarter.....	51	4	Misdemeanor.
127	Third quarter.....	114	13	Misdemeanor.
83	Fourth quarter.....	80	3	Misdemeanor.
319		293	26	
10	First quarter.....	10	.....	Petit larceny.
19	Second quarter.....	17	2	Petit larceny.
13	Third quarter.....	12	1	Petit larceny.
16	Fourth quarter.....	16	.....	Petit larceny.
58		55	3	
6	First quarter.....	6	.....	Vagrancy.
4	Second quarter.....	4	.....	Vagrancy.
22	Third quarter.....	22	.....	Vagrancy.
8	Fourth quarter.....	8	.....	Vagrancy.
30		30	.....
1	First quarter.....	1	.....	Violation Liquor Tax Law.
1		1	.....

Total, 1,222 ; men, 1,183 ; women, 39.

COUNTY OF CAYUGA

10	First quarter.....	10	.....	Assault, third degree.
5	Second quarter.....	5	.....	Assault, third degree.
7	Third quarter.....	7	.....	Assault, third degree.
8	Fourth quarter.....	7	1	Assault, third degree.
30		29	1	

TABLE L - COUNTY OF CAYUGA -- (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
107	First quarter.....	102	5	Intoxication.
73	Second quarter.....	70	3	Intoxication.
101	Third quarter.....	99	2	Intoxication.
98	Fourth quarter.....	95	3	Intoxication.
370		366	13	
92	First quarter.....	90	2	Misdemeanor.
23	Second quarter.....	17	6	Misdemeanor.
51	Third quarter.....	49	2	Misdemeanor.
134	Fourth quarter.....	129	5	Misdemeanor.
300		285	15	
8	First quarter.....	5	3	Petit larceny.
4	Second quarter.....	3	1	Petit larceny.
5	Third quarter.....	5	.....	Petit larceny.
10	Fourth quarter.....	9	1	Petit larceny.
27		22	5	
1	First quarter.....	1	.....	Vagrancy.
1	Second quarter.....	1	.....	Vagrancy.
6	Fourth quarter.....	6	.....	Vagrancy.
8		8	.....

Total, 744 ; men, 710 ; women, 34.

COUNTY OF CHAUTAUQUA

15	First quarter.....	15	.....	Assault, third degree.
13	Second quarter.....	13	.....	Assault, third degree.
22	Third quarter.....	18	4	Assault, third degree.
14	Fourth quarter.....	14	.....	Assault, third degree.
64		60	4	
522	First quarter.....	518	4	Intoxication.
96	Second quarter.....	94	2	Intoxication.
259	Third quarter.....	243	7	Intoxication.
501	Fourth quarter.....	494	7	Intoxication.
1,369		1,349	20	
117	First quarter.....	113	4	Misdemeanor.
28	Second quarter.....	22	6	Misdemeanor.
107	Third quarter.....	106	1	Misdemeanor.
280	Fourth quarter.....	280	20	Misdemeanor.
532		501	31	
18	First quarter.....	16	2	Petit larceny.
7	Second quarter.....	5	2	Petit larceny.
22	Third quarter.....	20	2	Petit larceny.
28	Fourth quarter.....	24	4	Petit larceny.
75		65	10	
18	First quarter.....	17	1	Vagrancy.
12	Second quarter.....	11	1	Vagrancy.
16	Third quarter.....	16	.....	Vagrancy.
41	Fourth quarter.....	37	4	Vagrancy.
87		81	6	

Total, 2,127 ; men, 2,056 ; women, 71.

TABLE L — COUNTY OF CHEMUNG

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
10	First quarter.....	9	1	Assault, third degree.
3	Second quarter.....	3	.....	Assault, third degree.
7	Third quarter.....	7	.....	Assault, third degree.
15	Fourth quarter.....	14	1	Assault, third degree.
35		33	2	.
671	First quarter....	652	19	Intoxication.
508	Second quarter.....	491	17	Intoxication.
167	Third quarter.....	166	1	Intoxication.
433	Fourth quarter.....	441	12	Intoxication.
1,799		1,750	19	
213	First quarter.....	202	11	Misdemeanor.
170	Second quarter.....	159	11	Misdemeanor.
70	Third quarter.....	65	5	Misdemeanor.
190	Fourth quarter.....	180	10	Misdemeanor.
643		606	37	
18	First quarter.....	18	.....	Petit larceny
22	Second quarter.....	20	2	Petit larceny.
12	Third quarter.....	12	.....	Petit larceny.
19	Fourth quarter.....	17	2	Petit larceny.
71		67	4	
17	First quarter.....	42	5	Vagrancy.
48	Second quarter.....	44	4	Vagrancy.
20	Third quarter.....	19	1	Vagrancy.
14	Fourth quarter.....	39	5	Vagrancy.
159		141	15	

Total, 2,707 ; men, 2,600 ; women, 107.

COUNTY OF CHENANGO

3	Second quarter.....	3	.....	Assault, third degree.
2	Third quarter.....	2	.....	Assault, third degree.
1	Fourth quarter.....	1	.....	Assault, third degree.
6		6	.....
61	First quarter.....	60	1	Intoxication.
51	Second quarter.....	50	1	Intoxication.
67	Third quarter.....	67	.....	Intoxication.
61	Fourth quarter.....	60	1	Intoxication.
210		237	3	
9	First quarter.....	8	1	Misdemeanor.
10	Second quarter.....	8	2	Misdemeanor.
17	Third quarter.....	16	1	Misdemeanor.
21	Fourth quarter.....	20	1	Misdemeanor.
57		52	5	
2	First quarter.....	2	.....	Petit larceny.
4	Second quarter.....	4	.....	Petit larceny.
1	Third quarter.....	1	.....	Petit larceny.
7		7	.....

TABLE L — COUNTY OF CHENANGO — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
3	First quarter.....	3	.....	Vagrancy.
4	Second quarter.....	3	1	Vagrancy.
3	Third quarter.....	4	1	Vagrancy.
1	Fourth quarter.....	1	.....	Vagrancy.
13		11	2	

Total, 323 ; men, 313 ; women, 10.

COUNTY OF CLINTON

2	First quarter.....	2	.....	Assault, third degree.
1	Second quarter.....	1	.....	Assault, third degree.
1	Third quarter.....	1	.....	Assault, third degree.
15	Fourth quarter.....	13	2	Assault, third degree.
19		17	2	
3	First quarter.....	3	.....	Intoxication.
67	Second quarter.....	63	4	Intoxication.
7	Third quarter.....	7	.....	Intoxication.
274	Fourth quarter.....	264	10	Intoxication.
351		337	14	
6	First quarter.....	4	2	Misdemeanor.
16	Second quarter.....	13	3	Misdemeanor.
8	Third quarter.....	3	5	Misdemeanor.
126	Fourth quarter.....	115	11	Misdemeanor.
156		115	21	
5	Second quarter.....	5	.....	Petit larceny.
1	Third quarter.....	1	.....	Petit larceny.
10	Fourth quarter.....	8	2	Petit larceny.
16		14	2	
3	First quarter.....	3	.....	Vagrancy.
5	Second quarter.....	4	1	Vagrancy.
22	Fourth quarter.....	7	15	Vagrancy.
30		14	16	

Total, 572 ; men, 517 ; women, 55.

COUNTY OF COLUMBIA

1	First quarter.....	1	.....	Assault, third degree.
1	Second quarter.....	1	.....	Assault, third degree.
3	Third quarter.....	3	.....	Assault, third degree.
3	Fourth quarter.....	3	.....	Assault, third degree.
8		8	.....
27	First quarter.....	26	1	Intoxication
55	Second quarter.....	51	1	Intoxication.
16	Third quarter.....	15	1	Intoxication
9	Fourth quarter.....	7	2	Intoxication.
107		102	5	

TABLE L -- COUNTY OF COLUMBIA -- (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
5	First quarter.....	5	.....	Misdemeanor.
10	Second quarter.....	8	2	Misdemeanor.
10	Third quarter.....	8	2	Misdemeanor.
8	Fourth quarter.....	4	4	Misdemeanor.
33		25	8	
6	First quarter.....	6	.....	Petit larceny.
4	Second quarter.....	4	.....	Petit larceny.
4	Third quarter.....	4	.....	Petit larceny.
1	Fourth quarter.....	1	.....	Petit larceny.
15		15	.....
8	First quarter.....	7	1	Vagrancy.
3	Second quarter.....	3	.....	Vagrancy.
1	Third quarter.....	1	.....	Vagrancy.
1	Fourth quarter.....	1	.....	Vagrancy.
13		12	1	

Total, 176 ; men, 162 ; women, 14.

COUNTY OF CORTLAND

5	First quarter.....	5	.....	Assault, third degree.
3	Second quarter.....	3	.....	Assault, third degree.
5	Third quarter.....	5	.....	Assault, third degree.
3	Fourth quarter.....	3	.....	Assault, third degree.
16		16	.....
78	First quarter.....	78	.....	Intoxication.
82	Second quarter.....	82	.....	Intoxication.
116	Third quarter.....	114	2	Intoxication.
143	Fourth quarter.....	143	.....	Intoxication.
419		417	2	
24	First quarter.....	22	2	Misdemeanor.
47	Second quarter.....	42	5	Misdemeanor.
58	Third quarter.....	56	2	Misdemeanor.
55	Fourth quarter.....	50	5	Misdemeanor.
184		170	14	
7	First quarter.....	7	.....	Petit larceny.
3	Second quarter.....	2	1	Petit larceny.
4	Third quarter.....	3	1	Petit larceny.
7	Fourth quarter.....	5	2	Petit larceny.
21		17	4	
6	First quarter.....	5	1	Vagrancy.
4	Third quarter.....	3	1	Vagrancy.
6	Fourth quarter.....	5	1	Vagrancy.
16		13	3	

Total, 656 ; men, 633 ; women, 23.

COUNTY OF DELAWARE

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
1	First quarter.....	1	.....	Assault, third degree.
1	Second quarter.....	1	.....	Assault, third degree.
1	Third quarter.....	1	.....	Assault, third degree.
1	Fourth quarter.....	1	.....	Assault, third degree.
4		4	.....
5	First quarter.....	5	.....	Intoxication.
9	Second quarter.....	9	.....	Intoxication.
4	Fourth quarter.....	4	.....	Intoxication.
18		18	.....
4	First quarter.....	4	.....	Misdemeanor.
4	Third quarter.....	4	.....	Misdemeanor.
5	Fourth quarter.....	5	.....	Misdemeanor.
13		13	.....
1	Second quarter.....	1	.....	Petit larceny.
3	Third quarter.....	3	.....	Petit larceny.
3	Fourth quarter.....	2	1	Petit larceny.
7		6	1	
1	Second quarter.....	1	.....	Vagrancy.
1	Fourth quarter.....	1	.....	Vagrancy.
2		2	.....

Total, 44; men, 43; women, 1.

COUNTY OF DUTCHESS

25	First quarter....	23	2	Assault, third degree.
9	Second quarter....	7	2	Assault, third degree.
15	Third quarter....	13	2	Assault, third degree.
17	Fourth quarter....	16	1	Assault, third degree.
66		59	7	
231	First quarter.....	229	2	Intoxication.
143	Second quarter.....	141	2	Intoxication.
154	Third quarter.....	147	7	Intoxication.
114	Fourth quarter.....	110	4	Intoxication.
642		627	15	
65	First quarter.....	55	10	Misdemeanor.
29	Second quarter.....	27	2	Misdemeanor.
146	Third quarter.....	144	2	Misdemeanor.
89	Fourth quarter.....	84	5	Misdemeanor.
329		310	19	
31	First quarter.....	31	.....	Petit larceny.
15	Second quarter.....	14	1	Petit larceny.
3	Third quarter.....	3	.....	Petit larceny.
18	Fourth quarter.....	18	.....	Petit larceny.
67		66	1	
84	First quarter.....	84	.....	Vagrancy.
17	Second quarter.....	16	1	Vagrancy.
20	Third quarter.....	19	1	Vagrancy.
22	Fourth quarter.....	22	.....	Vagrancy.
143		141	2	

Total, 1,247; men, 1,203; women, 44.

TABLE L — COUNTY OF ERIE

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
41	First quarter.....	30	2	Assault, third degree.
44	Second quarter.....	43	1	Assault, third degree.
57	Third quarter.....	55	2	Assault, third degree.
29	Fourth quarter.....	20	.....	Assault, third degree.
171		168	5	
2,543	First quarter.....	2,520	23	Intoxication.
1,663	Second quarter.....	1,615	48	Intoxication.
1,509	Third quarter.....	1,448	61	Intoxication.
707	Fourth quarter.....	663	44	Intoxication.
6,422		6,246	176	
596	First quarter.....	558	38	Misdemeanor.
583	Second quarter.....	539	44	Misdemeanor.
692	Third quarter.....	632	60	Misdemeanor.
452	Fourth quarter.....	396	56	Misdemeanor.
2,323		2,125	198	
121	First quarter.....	112	9	Petit larceny.
68	Second quarter.....	64	4	Petit larceny.
86	Third quarter.....	84	2	Petit larceny.
80	Fourth quarter.....	80	.....	Petit larceny.
355		340	15	
191	First quarter.....	179	12	Vagrancy.
152	Second quarter.....	136	16	Vagrancy.
276	Third quarter.....	256	20	Vagrancy.
154	Fourth quarter.....	121	33	Vagrancy.
773		692	81	

Total, 10,044 ; men, 9,569 ; women, 475.

COUNTY OF ESSEX

18	First quarter.....	16	2	Assault, third degree.
24	Second quarter.....	22	2	Assault, third degree.
5	Third quarter.....	5	.....	Assault, third degree.
17	Fourth quarter.....	17	.....	Assault, third degree.
64		60	4	
77	First quarter.....	76	1	Intoxication.
161	Second quarter.....	161	.....	Intoxication.
53	Third quarter.....	53	.....	Intoxication.
113	Fourth quarter.....	113	.....	Intoxication.
404		403	1	
9	First quarter.....	7	2	Misdemeanor.
17	Second quarter.....	15	2	Misdemeanor.
6	Third quarter.....	5	1	Misdemeanor.
32	Fourth quarter.....	31	1	Misdemeanor.
64		58	6	
5	First quarter.....	5	.....	Petit larceny.
10	Second quarter.....	10	.....	Petit larceny.
8	Third quarter.....	8	.....	Petit larceny.
9	Fourth quarter.....	9	.....	Petit larceny.
32		32	.....

TABLE L --- COUNTY OF ESSEX -- (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
2	First quarter.....	1	1	Vagrancy.
4	Second quarter.....	3	1	Vagrancy.
1	Third quarter.....		1	Vagrancy.
7		4	3	

Total, 571 ; men, 557 ; women, 14.

COUNTY OF FRANKLIN

10	First quarter.....	9	1	Assault, third degree.
4	Second quarter.....	4		Assault, third degree.
10	Third quarter.....	10		Assault, third degree.
3	Fourth quarter.....	3		Assault, third degree.
27		26	1	
113	First quarter.....	113		Intoxication.
107	Second quarter.....	106	1	Intoxication.
135	Third quarter.....	134	1	Intoxication.
112	Fourth quarter.....	110	2	Intoxication.
467		463	4	
34	First quarter.....	30	4	Misdemeanor.
35	Second quarter.....	33	2	Misdemeanor.
36	Third quarter.....	34	2	Misdemeanor.
45	Fourth quarter.....	43	2	Misdemeanor.
150		140	10	
6	First quarter.....	5	1	Petit larceny.
5	Second quarter.....	5		Petit larceny.
4	Third quarter.....	2	2	Petit larceny.
6	Fourth quarter.....	5	1	Petit larceny.
21		17	4	
12	First quarter.....	12		Vagrancy.
21	Second quarter.....	20	1	Vagrancy.
5	Third quarter.....	4	1	Vagrancy.
5	Fourth quarter.....	5		Vagrancy.
43		41	2	

Total, 708 ; men, 687 ; women, 21.

COUNTY OF FULTON

4	First quarter.....	4		Assault, third degree.
4	Second quarter.....	4		Assault, third degree.
4	Third quarter.....	4		Assault, third degree.
8	Fourth quarter.....	8		Assault, third degree.
20		20		
95	First quarter.....	93	2	Intoxication.
70	Second quarter.....	66	4	Intoxication.
83	Third quarter.....	83		Intoxication.
75	Fourth quarter.....	73	2	Intoxication.
323		315	8	

TABLE L — COUNTY OF FULTON — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
36	First quarter.....	34	2	Misdemeanor.
89	Second quarter.....	83	6	Misdemeanor.
50	Third quarter.....	47	3	Misdemeanor.
88	Fourth quarter.....	86	2	Misdemeanor.
263		250	13	
5	First quarter.....	5	.....	Petit larceny.
7	Second quarter.....	7	.....	Petit larceny.
1	Third quarter.....	.....	1	Petit larceny.
6	Fourth quarter.....	6	.....	Petit larceny.
10		18	1	
1	First quarter.....	1	.....	Vagrancy.
3	Second quarter.....	3	.....	Vagrancy.
4		4	.....

Total, 629 ; men, 607 ; women, 22.

COUNTY OF GENESEE

2	First quarter.....	2	.....	Assault, third degree.
8	Second quarter.....	8	.....	Assault, third degree.
5	Third quarter.....	4	1	Assault, third degree.
9	Fourth quarter.....	8	1	Assault, third degree.
24		22	2	
68	First quarter.....	68	.....	Intoxication.
38	Second quarter.....	37	1	Intoxication.
35	Third quarter.....	34	1	Intoxication.
19	Fourth quarter.....	19	.....	Intoxication.
160		158	2	
60	First quarter.....	60	.....	Misdemeanor.
17	Second quarter.....	16	1	Misdemeanor.
56	Third quarter.....	53	3	Misdemeanor.
23	Fourth quarter.....	21	2	Misdemeanor.
156		150	6	
5	First quarter.....	5	.....	Petit larceny.
6	Second quarter.....	6	.....	Petit larceny.
4	Third quarter.....	4	.....	Petit larceny.
8	Fourth quarter.....	8	.....	Petit larceny.
23		23	.....
35	First quarter.....	34	1	Vagrancy.
18	Second quarter.....	18	.....	Vagrancy.
18	Third quarter.....	15	3	Vagrancy.
2	Fourth quarter.....	2	.....	Vagrancy.
73		69	4	

Total, 436 ; men, 422 ; women, 14.

TABLE L—COUNTY OF GREENE

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSES
2	First quarter.....	2	.....	Assault, third degree.
1	Second quarter.....	1	.....	Assault, third degree.
6	Fourth quarter.....	6	.....	Assault, third degree.
9		9	.....
9	First quarter.....	9	.....	Intoxication.
5	Second quarter.....	4	1	Intoxication.
3	Third quarter.....	3	.....	Intoxication.
1	Fourth quarter.....	1	.....	Intoxication.
18		17	1	
8	First quarter.....	7	1	Misdemeanor.
3	Second quarter.....	3	.....	Misdemeanor.
7	Third quarter.....	7	.....	Misdemeanor.
2	Fourth quarter.....	2	.....	Misdemeanor.
20		19	1	
4	First quarter.....	4	.....	Petit larceny.
2	Second quarter.....	2	.....	Petit larceny.
7	Fourth quarter.....	7	.....	Petit larceny.
13		13	.....
1	First quarter.....	1	.....	Vagrancy.
3	Second quarter.....	3	.....	Vagrancy.
4		4	.....

Total, 64; men, 62; women, 2.

COUNTY OF HAMILTON

.....	Second quarter.....	.....	.....	No convictions.
1	Third quarter.....	1	.....	Assault, third degree.
1		1	.....
.....	Second quarter.....	.....	.....	No convictions.
.....	Third quarter.....	.....	.....	No convictions.
2	First quarter.....	2	.....	Misdemeanor.
.....	Second quarter.....	.....	.....	No convictions.
1	Third quarter.....	1	.....	Misdemeanor.
3	Fourth quarter.....	1	2	Misdemeanor.
6		4	2	
.....	Second quarter.....	.....	.....	No convictions.
.....		
.....	Second quarter.....	.....	.....	No convictions.
.....		
1	Third quarter.....	1	.....	Vagrancy.
1		1	.....

Total, 8; men, 6; women, 2.

TABLE L — COUNTY OF HERKIMER

WHEN CONVICTED	Males	Females	OFFENSE
First quarter.....	16	.....	Assault, third degree.
Second quarter.....	9	.....	Assault, third degree.
Third quarter.....	8	.....	Assault, third degree.
Fourth quarter.....	10	.....	Assault, third degree.
	43	.....
First quarter.....	125	5	Intoxication.
Second quarter.....	100	1	Intoxication.
Third quarter.....	127	4	Intoxication.
Fourth quarter.....	111	5	Intoxication.
	453	15	
First quarter.....	71	1	Misdemeanor.
Second quarter.....	33	6	Misdemeanor.
Third quarter.....	56	5	Misdemeanor.
Fourth quarter.....	60	2	Misdemeanor.
	220	14	
First quarter.....	5	.....	Petit larceny.
Second quarter.....	10	.....	Petit larceny.
Third quarter.....	6	.....	Petit larceny.
Fourth quarter.....	10	1	Petit larceny.
	31	1	
First quarter.....	3	.....	Vagrancy.
Second quarter.....	2	.....	Vagrancy.
Third quarter.....	9	.....	Vagrancy.
	14	.....

Total, 791 ; men, 761 ; women, 30.

COUNTY OF JEFFERSON

First quarter.....	6	.....	Assault, third degree
Second quarter.....	9	.....	Assault, third degree.
Third quarter.....	17	1	Assault, third degree
Fourth quarter.....	6	.....	Assault, third degree
	38	1	
First quarter.....	179	4	Intoxication.
Second quarter.....	233	6	Intoxication.
Third quarter.....	253	10	Intoxication.
Fourth quarter.....	309	15	Intoxication.
	979	35	
First quarter.....	11	1	Misdemeanor.
Second quarter.....	14	5	Misdemeanor.
Third quarter.....	16	2	Misdemeanor.
Fourth quarter.....	19	.....	Misdemeanor.
	60	8	
First quarter.....	4	.....	Petit larceny.
Second quarter.....	14	.....	Petit larceny.
Third quarter.....	26	.....	Petit larceny.
Fourth quarter.....	16	.....	Petit larceny.
	60	.....

TABLE L — COUNTY OF JEFFERSON — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
5	Second quarter.....	3	2	Vagrancy.
1	Third quarter.....	1	.....	Vagrancy.
6		4	2	

Total, 1,187; men, 1,141; women, 46.

COUNTY OF KINGS

112	First quarter.....	110	2	Assault, third degree.
97	Second quarter.....	95	2	Assault, third degree.
139	Third quarter.....	138	1	Assault, third degree.
105	Fourth quarter.....	97	8	Assault, third degree.
453		440	13	
327	First quarter.....	311	16	Misdemeanor.
360	Second quarter.....	332	28	Misdemeanor.
377	Third quarter.....	363	14	Misdemeanor.
303	Fourth quarter.....	274	29	Misdemeanor.
1,367		1,280	87	
210	First quarter.....	176	34	Petit larceny.
227	Second quarter.....	198	29	Petit larceny.
289	Third quarter.....	243	46	Petit larceny.
218	Fourth quarter.....	196	22	Petit larceny.
944		813	131	
35	First quarter.....	33	2	Violation Liquor Tax Law
86	Second quarter.....	79	7	Violation Liquor Tax Law
113	Third quarter.....	113	.....	Violation Liquor Tax Law
131	Fourth quarter.....	125	6	Violation Liquor Tax Law
365		350	15	

Total, 3,129; men, 2,883; women, 246.

COUNTY OF LEWIS

1	First quarter.....	1	.....	Assault, third degree.
2	Third quarter.....	2	.....	Assault, third degree.
2	Fourth quarter.....	2	.....	Assault, third degree.
5		5	.....
1	First quarter.....	1	.....	Intoxication.
3	Second quarter.....	2	1	Intoxication.
3	Third quarter.....	3	.....	Intoxication.
3	Fourth quarter.....	3	.....	Intoxication.
10		9	1	
4	First quarter.....	4	.....	Misdemeanor.
6	Second quarter.....	2	4	Misdemeanor.
6	Third quarter.....	6	.....	Misdemeanor.
6	Fourth quarter.....	6	.....	Misdemeanor.
22		18	4	

TABLE L — COUNTY OF LEWIS — (Continued)

WHEN CONVICTED	Males	Females	OFFENSE
Second quarter	1	.....	Petit larceny.
Third quarter.....	3	.....	Petit larceny.
Fourth quarter.....	3	.....	Petit larceny.
	7	.....

Total, 44 ; men, 39 ; women, 5.

COUNTY OF LIVINGSTON

Fourth quarter.....	3	.....	Assault, third degree.
	3	.....
First quarter.....	9	.....	Intoxication.
Second quarter.....	9	.....	Intoxication.
Third quarter.....	8	.....	Intoxication.
Fourth quarter.....	9	.....	Intoxication.
	35	.....
First quarter.....	2	.....	Misdemeanor.
Second quarter.....	.....	1	Misdemeanor.
Fourth quarter.....	1	.....	Misdemeanor.
	3	1	
First quarter.....	2	.....	Petit larceny.
Second quarter.....	2	.....	Petit larceny.
Third quarter.....	1	.....	Petit larceny.
Fourth quarter.....	1	.....	Petit larceny.
	6	.....
Second quarter.....	6	.....	Vagrancy.
Third quarter.	1	.....	Vagrancy.
	7	.....

Total, 55 ; men, 54 ; women, 1.

COUNTY OF MADISON

First quarter.....	1	.....	Assault, third degree.
Second quarter.....	2	.....	Assault, third degree.
Fourth quarter.....	1	.....	Assault, third degree.
	4	.....
First quarter.....	85	2	Intoxication.
Second quarter.....	120	2	Intoxication.
Third quarter.....	170	1	Intoxication.
Fourth quarter.....	133	1	Intoxication.
	508	6	
First quarter.....	20	.....	Misdemeanor.
Second quarter.....	5	1	Misdemeanor.
Third quarter.....	16	1	Misdemeanor.
Fourth quarter.....	54	.....	Misdemeanor.
	95	2	

TABLE L—COUNTY OF MADISON — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
2	First quarter.....	1	1	Petit larceny.
2	Second quarter.....	2	.....	Petit larceny.
2	Third quarter.....	1	1	Petit larceny.
3	Fourth quarter.....	3	.....	Petit larceny.
9		7	2	
20	First quarter.....	20	.....	Vagrancy.
18	Second quarter.....	18	.....	Vagrancy.
8	Third quarter.....	8	.....	Vagrancy.
19	Fourth quarter.....	19	.....	Vagrancy.
65		65	.....

Total, 689 ; men, 679 ; women, 10.

COUNTY OF MONROE

45	First quarter.....	45	.....	Assault, third degree.
43	Second quarter.....	42	1	Assault, third degree.
51	Third quarter.....	48	3	Assault, third degree.
45	Fourth quarter.....	41	4	Assault, third degree.
184		176	8	
438	First quarter.....	415	23	Intoxication.
301	Second quarter.....	276	25	Intoxication.
474	Third quarter.....	442	32	Intoxication.
372	Fourth quarter.....	354	18	Intoxication.
1,585		1,487	98	
213	First quarter.....	206	7	Misdemeanor.
211	Second quarter.....	206	5	Misdemeanor.
338	Third quarter.....	321	17	Misdemeanor.
238	Fourth quarter.....	231	7	Misdemeanor.
1,000		964	36	
60	First quarter.....	58	2	Petit larceny.
69	Second quarter.....	66	3	Petit larceny.
67	Third quarter.....	66	1	Petit larceny.
69	Fourth quarter.....	64	5	Petit larceny.
265		254	11	
133	First quarter.....	130	3	Vagrancy.
134	Second quarter.....	129	5	Vagrancy.
135	Third quarter.....	125	10	Vagrancy.
124	Fourth quarter.....	113	11	Vagrancy.
526		497	29	

Total, 3,560 ; men, 3,378 ; women, 182.

COUNTY OF MONTGOMERY

18	First quarter.....	17	1	Assault, third degree.
14	Second quarter.....	14	.....	Assault, third degree.
30	Third quarter.....	29	1	Assault, third degree.
43	Fourth quarter.....	38	5	Assault, third degree.
105		98	7	

TABLE I.—COUNTY OF MONTGOMERY — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
55	First quarter.....	55	.....	Intoxication.
47	Second quarter.....	46	1	Intoxication.
32	Third quarter.....	31	1	Intoxication.
36	Fourth quarter.....	36	.....	Intoxication.
170		168	2	
40	First quarter.....	40	.....	Misdemeanor.
75	Second quarter.....	72	3	Misdemeanor.
116	Third quarter.....	114	2	Misdemeanor.
275	Fourth quarter.....	271	4	Misdemeanor.
515		506	9	
20	First quarter.....	20	.....	Petit larceny.
5	Second quarter.....	4	1	Petit larceny.
12	Third quarter.....	12	.....	Petit larceny.
4	Fourth quarter.....	4	.....	Petit larceny.
41		40	1	
16	First quarter.....	16	.....	Vagrancy.
22	Second quarter.....	22	.....	Vagrancy.
12	Third quarter.....	12	.....	Vagrancy.
5	Fourth quarter.....	3	2	Vagrancy.
55		53	2	

Total, 886 ; men, 865 ; women, 21.

COUNTY OF NASSAU

34	First quarter.....	31	3	Assault, third degree.
20	Second quarter.....	26	3	Assault, third degree.
33	Third quarter.....	32	1	Assault, third degree.
47	Fourth quarter.....	43	4	Assault, third degree.
143		132	11	
143	First quarter.....	137	6	Intoxication.
56	Second quarter.....	54	2	Intoxication.
67	Third quarter.....	63	4	Intoxication.
73	Fourth quarter.....	67	6	Intoxication.
339		321	18	
450	First quarter.....	441	18	Misdemeanor.
144	Second quarter.....	134	10	Misdemeanor.
438	Third quarter.....	417	21	Misdemeanor.
604	Fourth quarter.....	655	39	Misdemeanor.
1,735		1,647	88	
23	First quarter.....	21	2	Petit larceny.
14	Second quarter.....	13	1	Petit larceny.
16	Third quarter.....	14	2	Petit larceny.
21	Fourth quarter.....	21	.....	Petit larceny.
74		69	5	
9	First quarter.....	9	.....	Vagrancy.
3	Second quarter.....	2	1	Vagrancy.
2	Third quarter.....	2	.....	Vagrancy.
7	Fourth quarter.....	3	4	Vagrancy.
21		16	5	

Total, 2,312 ; men, 2,185 ; women, 127.

TABLE I — COUNTY OF NEW YORK

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
43	First quarter.....	42	1	Assault, third degree.
46	Second quarter.....	45	1	Assault, third degree.
42	Third quarter.....	39	3	Assault, third degree.
28	Fourth quarter.....	25	3	Assault, third degree.
159		151	8	
698	First quarter.....	648	50	Misdemeanor.
650	Second quarter.....	592	58	Misdemeanor.
638	Third quarter.....	581	57	Misdemeanor.
533	Fourth quarter.....	444	59	Misdemeanor.
2,489		2,215	224	
561	First quarter.....	469	92	Petit larceny.
567	Second quarter.....	476	91	Petit larceny.
551	Third quarter.....	475	76	Petit larceny.
541	Fourth quarter.....	464	77	Petit larceny.
2,220		1,884	336	
116	First quarter.....	112	4	Violation Liquor Tax Law.
87	Second quarter.....	83	4	Violation Liquor Tax Law.
105	Third quarter.....	96	9	Violation Liquor Tax Law.
181	Fourth quarter.....	173	8	Violation Liquor Tax Law.
489		464	25	

Total, 5,357; men, 4,764; women, 593.

COUNTY OF NIAGARA

17	First quarter.....	17	.....	Assault, third degree.
20	Second quarter.....	17	3	Assault, third degree.
41	Third quarter.....	37	4	Assault, third degree.
43	Fourth quarter.....	43	.....	Assault, third degree.
121		114	7	
315	First quarter.....	315	.....	Intoxication.
249	Second quarter.....	241	8	Intoxication.
462	Third quarter.....	445	17	Intoxication.
675	Fourth quarter.....	634	11	Intoxication.
1,701		1,665	36	
89	First quarter.....	66	23	Misdemeanor.
90	Second quarter.....	86	4	Misdemeanor.
218	Third quarter.....	203	15	Misdemeanor.
470	Fourth quarter.....	444	26	Misdemeanor.
867		799	68	
19	First quarter.....	18	1	Petit larceny.
18	Second quarter.....	15	3	Petit larceny.
30	Third quarter.....	28	2	Petit larceny.
42	Fourth quarter.....	36	6	Petit larceny.
109		97	12	

TABLE L — COUNTY OF NIAGARA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
32	First quarter.....	32	.....	Vagrancy.
16	Second quarter.....	16	.....	Vagrancy.
24	Third quarter.....	24	.....	Vagrancy.
29	Fourth quarter.....	29	.....	Vagrancy.
101		101	.....
1	First quarter.....	1	.....	Violation Liquor Tax Law
1		1	.....

Total, 2,900 ; men, 2,777 ; women, 123.

COUNTY OF ONEIDA

23	First quarter.....	22	1	Assault, third degree.
10	Second quarter.....	10	.....	Assault, third degree.
20	Third quarter.....	20	.....	Assault, third degree.
30	Fourth quarter.....	29	1	Assault, third degree.
83		81	2	
463	First quarter.....	458	5	Intoxication.
141	Second quarter.....	132	9	Intoxication.
337	Third quarter.....	326	11	Intoxication.
309	Fourth quarter.....	301	8	Intoxication.
1,250		1,217	33	
86	First quarter.....	85	1	Misdemeanor.
122	Second quarter.....	116	6	Misdemeanor.
133	Third quarter.....	126	7	Misdemeanor.
151	Fourth quarter.....	135	16	Misdemeanor.
492		462	30	
28	First quarter.....	27	1	Petit larceny.
17	Second quarter.....	17	.....	Petit larceny.
36	Third quarter.....	36	.....	Petit larceny.
35	Fourth quarter.....	34	1	Petit larceny.
116		114	2	
55	First quarter.....	51	4	Vagrancy.
41	Second quarter.....	37	4	Vagrancy.
40	Third quarter.....	39	1	Vagrancy.
29	Fourth quarter.....	22	7	Vagrancy.
165		149	16	

Total, 2,106 ; men, 2,023 ; women, 83.

COUNTY OF ONONDAGA

15	First quarter.....	15	.....	Assault, third degree.
11	Second quarter.....	10	1	Assault, third degree.
14	Third quarter.....	13	1	Assault, third degree.
15	Fourth quarter.....	14	1	Assault, third degree.
55		52	3	

TABLE L — COUNTY OF ONONDAGA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
161	First quarter.....	148	13	Intoxication.
121	Second quarter.....	118	3	Intoxication.
270	Third quarter.....	239	31	Intoxication.
261	Fourth quarter.....	242	19	Intoxication.
813		747	66	
192	First quarter.....	173	19	Misdemeanor.
89	Second quarter.....	71	18	Misdemeanor.
207	Third quarter.....	179	28	Misdemeanor.
223	Fourth quarter.....	173	50	Misdemeanor.
711		596	115	
40	First quarter.....	40	.....	Petit larceny.
29	Second quarter.....	27	2	Petit larceny.
27	Third quarter.....	25	2	Petit larceny.
29	Fourth quarter.....	27	2	Petit larceny.
125		119	6	
72	First quarter.....	72	.....	Vagrancy.
40	Second quarter.....	39	1	Vagrancy.
35	Third quarter.....	35	.....	Vagrancy.
32	Fourth quarter.....	28	4	Vagrancy.
179		174	5	

Total, 1,883 ; men, 1,688 ; women, 195.

COUNTY OF ONTARIO

6	First quarter.....	5	1	Assault, third degree.
3	Second quarter.....	3	.....	Assault, third degree.
5	Third quarter.....	4	1	Assault, third degree.
11	Fourth quarter.....	11	.....	Assault, third degree.
25		23	2	
465	First quarter.....	460	5	Intoxication.
289	Second quarter.....	289	.....	Intoxication.
203	Third quarter.....	196	7	Intoxication.
159	Fourth quarter.....	153	6	Intoxication.
1,116		1,098	18	
124	First quarter.....	117	7	Misdemeanor.
53	Second quarter.....	51	2	Misdemeanor.
64	Third quarter.....	62	2	Misdemeanor.
37	Fourth quarter.....	34	3	Misdemeanor.
278		265	13	
26	First quarter.....	26	.....	Petit larceny.
15	Second quarter.....	15	.....	Petit larceny.
20	Third quarter.....	19	1	Petit larceny.
8	Fourth quarter.....	8	.....	Petit larceny.
69		68	1	
6	First quarter.....	6	.....	Vagrancy.
14	Second quarter.....	14	.....	Vagrancy.
13	Third quarter.....	13	.....	Vagrancy.
8	Fourth quarter.....	6	2	Vagrancy.
41		39	2	
4	Third quarter.....	4	.....	Violation Liquor Tax Law.

Total, 1,533 ; men, 1,497 ; women, 36.

TABLE L — COUNTY OF ORANGE

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
9	First quarter.....	7	2	Assault, third degree.
13	Second quarter.....	13	.....	Assault, third degree.
25	Third quarter.....	25	.....	Assault, third degree.
18	Fourth quarter.....	17	1	Assault, third degree.
65		62	3	
138	First quarter.....	135	3	Intoxication.
118	Second quarter.....	108	10	Intoxication.
106	Third quarter.....	96	10	Intoxication.
77	Fourth quarter.....	68	9	Intoxication.
439		407	32	
51	First quarter.....	47	4	Misdemeanor.
67	Second quarter.....	60	7	Misdemeanor.
92	Third quarter.....	80	12	Misdemeanor.
57	Fourth quarter.....	53	4	Misdemeanor.
267		240	27	
17	First quarter.....	15	2	Petit larceny.
23	Second quarter.....	23	.....	Petit larceny.
11	Third quarter.....	10	1	Petit larceny.
23	Fourth quarter.....	23	.....	Petit larceny.
74		71	3	
9	First quarter.....	7	2	Vagrancy.
14	Second quarter.....	12	2	Vagrancy.
9	Third quarter.....	7	2	Vagrancy.
6	Fourth quarter.....	5	1	Vagrancy.
38		31	7	
1	First quarter.....	1	.....	Violation Liquor Tax Law.

Total, 884 ; men, 812 ; women, 72.

COUNTY OF ORLEANS

1	First quarter.....	1	.....	Assault, third degree.
6	Second quarter.....	6	.....	Assault, third degree.
1	Third quarter.....	1	.....	Assault, third degree.
3	Fourth quarter.....	3	.....	Assault, third degree.
11		11	.....
23	First quarter.....	23	.....	Intoxication.
33	Second quarter.....	33	.....	Intoxication.
33	Third quarter.....	33	.....	Intoxication.
28	Fourth quarter.....	28	.....	Intoxication.
117		117	.....
10	First quarter.....	10	.....	Misdemeanor.
13	Second quarter.....	13	.....	Misdemeanor.
26	Third quarter.....	26	.....	Misdemeanor.
25	Fourth quarter.....	24	1	Misdemeanor.
74		73	1	
1	First quarter.....	1	.....	Petit larceny.
10	Second quarter.....	10	.....	Petit larceny.
11	Third quarter.....	11	.....	Petit larceny.
3	Fourth quarter.....	2	1	Petit larceny.
25		24	1	

TABLE L — COUNTY OF ORLEANS — (*Continued*)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
16	First quarter.....	16	.....	Vagrancy.
24	Second quarter.....	24	.....	Vagrancy.
5	Third quarter.....	5	.....	Vagrancy.
3	Fourth quarter.....	3	.....	Vagrancy.
48		48	.....

Total, 275 ; men, 273 ; women, 2.

COUNTY OF OSWEGO

1	First quarter.....	1	.....	Assault, third degree.
3	Second quarter.....	2	1	Assault, third degree.
7	Third quarter.....	7	.....	Assault, third degree.
8	Fourth quarter.....	7	1	Assault, third degree.
19		17	2	
107	First quarter.....	106	1	Intoxication.
94	Second quarter.....	91	3	Intoxication.
119	Third quarter.....	114	5	Intoxication.
72	Fourth quarter.....	69	3	Intoxication.
392		390	12	
11	First quarter.....	9	2	Misdemeanor.
10	Second quarter.....	10	.....	Misdemeanor.
17	Third quarter.....	15	2	Misdemeanor.
7	Fourth quarter.....	6	1	Misdemeanor.
45		40	5	
5	First quarter.....	5	.....	Petit larceny.
6	Second quarter.....	6	.....	Petit larceny.
6	Third quarter.....	6	.....	Petit larceny.
6	Fourth quarter.....	6	.....	Petit larceny.
23		23	.....
16	First quarter.....	16	.....	Vagrancy.
23	Second quarter.....	23	.....	Vagrancy.
34	Third quarter.....	34	.....	Vagrancy.
4	Fourth quarter.....	4	.....	Vagrancy.
77		77	.....

Total, 556 ; men, 537 ; women, 19.

COUNTY OF OTSEGO

9	Second quarter.....	8	1	Assault, third degree.
2	Third quarter.....	2	.....	Assault, third degree.
11	Fourth quarter.....	11	.....	Assault, third degree.
22		21	1	
31	First quarter.....	31	.....	Intoxication.
114	Second quarter.....	114	.....	Intoxication.
72	Third quarter.....	72	.....	Intoxication.
193	Fourth quarter.....	190	3	Intoxication.
410		407	3	

TABLE L — COUNTY OF OTSEGO — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
2	First quarter.....	2	.....	Misdemeanor.
21	Second quarter.....	20	1	Misdemeanor.
13	Third quarter.....	13	.....	Misdemeanor.
45	Fourth quarter.....	42	3	Misdemeanor.
81		77	4	
2	First quarter.....	2	.....	Petit larceny.
13	Second quarter.....	12	1	Petit larceny.
10	Third quarter.....	10	.....	Petit larceny.
29	Fourth quarter.....	21	8	Petit larceny.
54		45	9	
3	First quarter.....	3	.....	Vagrancy.
1	Second quarter.....	1	.....	Vagrancy.
5	Third quarter.....	5	.....	Vagrancy.
4	Fourth quarter.....	4	.....	Vagrancy.
13		13	.....
3	Second quarter.....	3	.....	Violation Liquor Tax Law.

Total, 583 ; men, 566 ; women, 17.

COUNTY OF PUTNAM

2	Second quarter.....	2	.....	Assault, third degree.
2	Fourth quarter.....	2	.....	Assault, third degree.
4		4	.....
81	First quarter.....	80	1	Intoxication.
51	Second quarter.....	51	.....	Intoxication.
4	Third quarter.....	4	.....	Intoxication.
136		135	1	
1	First quarter.....	1	.....	Misdemeanor.
6	Second quarter.....	6	.....	Misdemeanor.
2	Fourth quarter.....	2	.....	Misdemeanor.
9		9	.....
1	Second quarter.....	1	.....	Petit larceny.
1		1	.....
2	First quarter.....	2	.....	Vagrancy.
1	Second quarter.....	1	.....	Vagrancy.
3		3	.....

Total, 153 ; men, 152 ; women, 1.

COUNTY OF QUEENS

13	First quarter.....	12	1	Assault, third degree.
14	Second quarter.....	14	.....	Assault, third degree.
6	Third quarter.....	6	.....	Assault, third degree.
16	Fourth quarter.....	16	.....	Assault, third degree.
49		48	1	

TABLE L — COUNTY OF QUEENS — (*Continued*)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
36	First quarter.....	35	1	Misdemeanor.
55	Second quarter.....	53	2	Misdemeanor.
71	Third quarter.....	70	1	Misdemeanor.
48	Fourth quarter.....	48	.....	Misdemeanor.
210		206	4	
19	First quarter.....	19	.....	Petit larceny.
23	Second quarter.....	23	.....	Petit larceny.
40	Third quarter.....	38	2	Petit larceny.
44	Fourth quarter.....	44	.....	Petit larceny.
126		124	2	
17	First quarter.....	16	1	Violation Liquor Tax Law.
10	Second quarter.....	10	.....	Violation Liquor Tax Law.
11	Third quarter.....	10	1	Violation Liquor Tax Law.
21	Fourth quarter.....	20	1	Violation Liquor Tax Law.
59		56	3	

Total, 444 ; men, 434 ; women, 10.

COUNTY OF RENSSELAER

7	First quarter.....	6	1	Assault, third degree.
13	Second quarter.....	13	.....	Assault, third degree.
7	Third quarter.....	7	.....	Assault, third degree.
8	Fourth quarter.....	7	1	Assault, third degree.
35		33	2	
186	First quarter.....	165	21	Intoxication.
223	Second quarter.....	202	21	Intoxication.
198	Third quarter.....	174	24	Intoxication.
141	Fourth quarter.....	128	13	Intoxication.
748		669	79	
61	First quarter.....	53	8	Misdemeanor.
73	Second quarter.....	58	15	Misdemeanor.
147	Third quarter.....	134	13	Misdemeanor.
60	Fourth quarter.....	56	4	Misdemeanor.
341		301	40	
12	First quarter.....	11	1	Petit larceny.
15	Second quarter.....	15	.....	Petit larceny.
17	Third quarter.....	17	.....	Petit larceny.
22	Fourth quarter.....	22	.....	Petit larceny.
66		65	1	
113	First quarter.....	106	7	Vagrancy.
100	Second quarter.....	99	1	Vagrancy.
28	Third quarter.....	26	2	Vagrancy.
32	Fourth quarter.....	27	5	Vagrancy.
273		258	15	

Total, 1,463 ; men, 1,326 ; women, 137.

TABLE L — COUNTY OF RICHMOND

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
8	First quarter.....	8	.....	Assault, third degree.
11	Second quarter.....	11	.....	Assault, third degree.
5	Third quarter.....	5	.....	Assault, third degree.
10	Fourth quarter.....	10	.....	Assault, third degree.
34		34	.....
22	First quarter.....	21	1	Misdemeanor.
16	Second quarter.....	16	.....	Misdemeanor.
12	Third quarter.....	12	.....	Misdemeanor.
15	Fourth quarter.....	15	.....	Misdemeanor.
65		64	1	
17	First quarter.....	16	1	Petit larceny.
17	Second quarter.....	16	1	Petit larceny.
24	Third quarter.....	21	3	Petit larceny.
17	Fourth quarter.....	17	.....	Petit larceny.
75		70	5	
2	First quarter.....	2	.....	Violation Liquor Tax Law.
2	Third quarter.....	2	.....	Violation Liquor Tax Law.
4	Fourth quarter.....	4	.....	Violation Liquor Tax Law.
8		8	.....

Total, 182 ; men, 176 ; women, 6.

COUNTY OF ROCKLAND

1	First quarter.....	1	.....	Assault, third degree.
3	Second quarter.....	3	.....	Assault, third degree.
6	Third quarter.....	4	2	Assault, third degree.
6	Fourth quarter.....	5	1	Assault, third degree.
16		13	3	
6	First quarter.....	6	.....	Intoxication.
12	Second quarter.....	12	.....	Intoxication.
5	Third quarter.....	5	.....	Intoxication.
4	Fourth quarter.....	3	1	Intoxication.
27		26	1	
27	First quarter.....	26	1	Misdemeanor.
24	Second quarter.....	23	1	Misdemeanor.
31	Third quarter.....	28	3	Misdemeanor.
20	Fourth quarter.....	16	4	Misdemeanor.
102		93	9	
11	First quarter.....	7	4	Petit larceny.
2	Second quarter.....	2	.....	Petit larceny.
4	Third quarter.....	4	.....	Petit larceny.
7	Fourth quarter.....	6	1	Petit larceny.
24		19	5	
2	First quarter.....	2	.....	Vagrancy.
1	Second quarter.....	1	.....	Vagrancy.
2	Third quarter.....	2	.....	Vagrancy.
5		5	.....

Total, 174 ; men, 156 ; women, 18.

COUNTY OF ST. LAWRENCE

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
24	First quarter.....	23	1	Assault, third degree.
24	Second quarter.....	23	1	Assault, third degree.
22	Third quarter.....	22	.....	Assault, third degree.
21	Fourth quarter.....	20	1	Assault, third degree.
91		88	3	
184	First quarter.....	183	1	Intoxication.
133	Second quarter.....	131	2	Intoxication.
194	Third quarter.....	191	3	Intoxication.
171	Fourth quarter.....	168	3	Intoxication.
682		673	9	
65	First quarter.....	63	2	Misdemeanor.
84	Second quarter.....	74	10	Misdemeanor.
113	Third quarter.....	101	12	Misdemeanor.
79	Fourth quarter.....	76	3	Misdemeanor.
341		314	27	
10	First quarter.....	10	.....	Petit larceny.
14	Second quarter.....	14	.....	Petit larceny.
19	Third quarter.....	18	1	Petit larceny.
23	Fourth quarter.....	23	.....	Petit larceny.
66		65	1	
24	First quarter.....	24	.....	Vagrancy.
11	Second quarter.....	10	1	Vagrancy.
12	Third quarter.....	12	.....	Vagrancy.
10	Fourth quarter.....	10	.....	Vagrancy.
57		56	1	

Total, 1,237 ; men, 1,196 ; women, 41.

COUNTY OF SARATOGA

13	First quarter.....	13	.....	Assault, third degree.
4	Second quarter.....	4	.....	Assault, third degree.
2	Third quarter.....	2	.....	Assault, third degree..
8	Fourth quarter.....	7	1	Assault, third degree.
27		26	1	
186	First quarter.....	183	3	Intoxication.
194	Second quarter.....	194	.....	Intoxication.
93	Third quarter.....	92	1	Intoxication.
123	Fourth quarter.....	119	4	Intoxication.
596		588	8	
55	First quarter.....	52	3	Misdemeanor.
69	Second quarter.....	68	1	Misdemeanor.
43	Third quarter.....	39	4	Misdemeanor.
64	Fourth quarter.....	58	6	Misdemeanor.
231		217	14	
11	First quarter.....	11	.....	Petit larceny.
10	Second quarter.....	10	.....	Petit larceny.
9	Third quarter.....	9	.....	Petit larceny.
9	Fourth quarter.....	8	1	Petit larceny.
39		38	1	

TABLE L — COUNTY OF SARATOGA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
218	First quarter.....	218	.....	Vagrancy.
139	Second quarter.....	139	.....	Vagrancy.
28	Third quarter.....	26	2	Vagrancy.
46	Fourth quarter.....	46	.....	Vagrancy.
431		429	2	
1	Third quarter.....	1	.....	Violation Liquor Tax Law.
1		1	.....

Total, 1,325 ; men, 1,299 ; women, 26.

COUNTY OF SCHENECTADY

29	First quarter.....	28	1	Assault, third degree.
23	Second quarter.....	23	.....	Assault, third degree.
36	Third quarter.....	34	2	Assault, third degree.
33	Fourth quarter.....	32	1	Assault, third degree.
121		117	4	
232	First quarter.....	227	5	Intoxication.
207	Second quarter.....	195	12	Intoxication.
212	Third quarter.....	206	6	Intoxication.
161	Fourth quarter.....	154	7	Intoxication.
812		782	30	
367	First quarter.....	345	22	Misdemeanor.
376	Second quarter.....	353	23	Misdemeanor.
456	Third quarter.....	428	28	Misdemeanor.
291	Fourth quarter.....	247	44	Misdemeanor.
1,490		1,373	117	
42	First quarter.....	38	4	Petit larceny.
41	Second quarter.....	38	3	Petit larceny.
68	Third quarter.....	53	15	Petit larceny.
40	Fourth quarter.....	36	4	Petit larceny.
191		165	36	
22	First quarter.....	20	2	Vagrancy.
41	Second quarter.....	38	3	Vagrancy.
59	Third quarter.....	49	10	Vagrancy.
52	Fourth quarter.....	47	5	Vagrancy.
174		154	20	

Total, 2,788 ; men, 2,591 ; women, 197.

COUNTY OF SCHOHARIE

1	Third quarter.....	1	.....	Assault, third degree.
1		1	.....
7	First quarter.....	7	.....	Intoxication.
1	Second quarter.....	1	.....	Intoxication.
8		8	.....

TABLE L — COUNTY OF SCHOHARIE — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females,	OFFENSE
1	Second quarter.....	.....	1	Misdemeanor.
1	Third quarter.....	.....	1	Misdemeanor.
1	Fourth quarter.....	.....	1	Misdemeanor.
3		.....	3	
2	First quarter.....	2	.....	Petit larceny.
2	Fourth quarter.....	2	.....	Petit larceny.
4		4	.....
1	Fourth quarter.....	.....	1	Vagrancy.
1		.....	1	

Total, 17; men, 13; women, 4.

COUNTY OF SCHUYLER

1	Third quarter.....	1	.....	Assault, third degree.
1		1	.....
2	Second quarter.....	2	.....	Intoxication.
2	Third quarter.....	2	.....	Intoxication.
4	Fourth quarter.....	4	.....	Intoxication.
8		8	.....
2	Second quarter.....	2	.....	Misdemeanor.
2	Third quarter.....	2	.....	Misdemeanor.
4	Fourth quarter.....	4	.....	Misdemeanor.
8		8	.....
3	First quarter.....	3	.....	Petit larceny.
1	Third quarter.....	.....	1	Petit larceny.
4		3	1	

Total, 21; men, 20; women, 1.

COUNTY OF SENECA

5	First quarter.....	4	1	Assault, third degree.
2	Fourth quarter.....	2	.....	Assault, third degree.
7		6	1	
56	First quarter.....	56	.....	Intoxication.
8	Second quarter.....	8	.....	Intoxication.
22	Third quarter.....	22	.....	Intoxication.
12	Fourth quarter.....	12	.....	Intoxication.
98		98	.....
32	First quarter.....	32	.....	Misdemeanor.
1	Second quarter.....	1	.....	Misdemeanor.
33		33	.....

TABLE L — COUNTY OF SENECA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
4	First quarter.....	4	.....	Petit larceny.
3	Third quarter.....	3	.....	Petit larceny.
1	Fourth quarter.....	1	.....	Petit larceny.
8		8	.....
10	First quarter.....	9	1	Vagrancy.
1	Second quarter.....	1	.....	Vagrancy.
3	Third quarter.....	3	.....	Vagrancy.
14		13	1	

Total, 160 ; men, 158 ; women, 2.

COUNTY OF STEUBEN

2	First quarter.....	2	.....	Assault, third degree.
7	Second quarter.....	6	1	Assault, third degree.
6	Third quarter.....	6	.....	Assault, third degree.
9	Fourth quarter.....	7	2	Assault, third degree.
24		21	3	
145	First quarter.....	136	9	Intoxication.
103	Second quarter.....	100	3	Intoxication.
164	Third quarter.....	155	9	Intoxication.
140	Fourth quarter.....	131	9	Intoxication.
552		522	30	
51	First quarter.....	46	5	Misdemeanor.
71	Second quarter.....	63	8	Misdemeanor.
101	Third quarter.....	89	12	Misdemeanor.
96	Fourth quarter.....	92	4	Misdemeanor.
319		290	29	
21	First quarter.....	21	.....	Petit larceny.
14	Second quarter.....	14	.....	Petit larceny.
10	Third quarter.....	10	.....	Petit larceny.
10	Fourth quarter.....	9	1	Petit larceny.
55		54	1	
9	First quarter.....	7	2	Vagrancy.
3	Second quarter.....	3	.....	Vagrancy.
2	Third quarter.....	2	.....	Vagrancy.
4	Fourth quarter.....	4	.....	Vagrancy.
18		16	2	

Total, 968 ; men, 903 ; women, 65.

COUNTY OF SUFFOLK

5	First quarter.....	4	1	Assault, third degree.
8	Second quarter.....	7	1	Assault, third degree.
12	Third quarter.....	10	2	Assault, third degree.
21	Fourth quarter.....	19	2	Assault, third degree.
46		40	6	

TABLE L — COUNTY OF SUFFOLK — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
65	First quarter.....	60	5	Intoxication.
43	Second quarter.....	43	.....	Intoxication.
35	Third quarter.....	34	1	Intoxication.
53	Fourth quarter.....	53	.....	Intoxication.
196		190	6	
38	First quarter.....	34	4	Misdemeanor.
20	Second quarter.....	17	3	Misdemeanor.
63	Third quarter.....	61	2	Misdemeanor.
92	Fourth quarter.....	86	6	Misdemeanor.
213		198	15	
17	First quarter.....	16	1	Petit larceny.
7	Second quarter.....	7	.....	Petit larceny.
11	Third quarter.....	11	.....	Petit larceny.
10	Fourth quarter.....	10	.....	Petit larceny.
45		44	1	
16	First quarter.....	16	.....	Vagrancy.
9	Second quarter.....	9	.....	Vagrancy.
4	Third quarter.....	4	.....	Vagrancy.
12	Fourth quarter.....	11	1	Vagrancy.
41		40	1	

Total, 541 ; men, 512 ; women, 29.

COUNTY OF SULLIVAN

4	Fourth quarter.....	3	1	Assault, third degree.
4		3	1	
20	First quarter.....	19	1	Misdemeanor.
4	Second quarter.....	4	.....	Misdemeanor.
31	Third quarter.....	30	1	Misdemeanor.
20	Fourth quarter.....	20	.....	Misdemeanor.
75		73	2	
1	First quarter.....	1	.....	Petit larceny.
1	Second quarter.....	1	.....	Petit larceny.
3	Fourth quarter.....	2	1	Petit larceny.
5		4	1	

Total, 84 ; men, 80 ; women, 4.

COUNTY OF TIOGA

1	First quarter.....	1	.....	Assault, third degree.
1		1	.....
12	First quarter.....	12	.....	Intoxication.
10	Second quarter.....	10	.....	Intoxication.
11	Third quarter.....	11	.....	Intoxication.
10	Fourth quarter.....	10	.....	Intoxication.
43		43	.....

TABLE L — COUNTY OF TIOGA — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
4	First quarter.....	3	1	Misdemeanor.
15	Second quarter.....	12	3	Misdemeanor.
6	Third quarter.....	6	.....	Misdemeanor.
14	Fourth quarter.....	13	1	Misdemeanor.
39		34	5	
2	First quarter.....	2	.....	Petit larceny.
1	Second quarter.....	1	.....	Petit larceny.
2	Fourth quarter.....	2	.....	Petit larceny.
5		5	.....
5	First quarter.....	5	.....	Vagrancy.
1	Second quarter.....	1	.....	Vagrancy.
1	Third quarter.....	1	.....	Vagrancy.
5	Fourth quarter.....	5	.....	Vagrancy.
12		12	.....

Total, 100 ; men, 95 ; women, 5.

COUNTY OF TOMPKINS

2	First quarter.....	2	.....	Assault, third degree.
1	Second quarter.....	1	.....	Assault, third degree.
5	Third quarter.....	5	.....	Assault, third degree.
8		8	.....
51	First quarter.....	50	1	Intoxication.
53	Second quarter.....	53	.....	Intoxication.
72	Third quarter.....	72	.....	Intoxication.
1	Fourth quarter.....	1	.....	Intoxication.
177		176	1	
15	First quarter.....	13	2	Misdemeanor.
9	Second quarter.....	6	3	Misdemeanor.
25	Third quarter.....	22	3	Misdemeanor.
4	Fourth quarter.....	4	.....	Misdemeanor.
53		45	8	
3	First quarter.....	3	.....	Petit larceny.
2	Second quarter.....	2	.....	Petit larceny.
1	Third quarter.....	1	.....	Petit larceny.
6		6	.....

Total, 244 ; men, 235 ; women, 9.

COUNTY OF ULSTER

3	First quarter.....	2	1	Assault, third degree.
2	Second quarter.....	2	.....	Assault, third degree.
4	Third quarter.....	4	.....	Assault, third degree.
2	Fourth quarter.....	2	.....	Assault, third degree.
11		10	1	

TABLE L — COUNTY OF ULSTER — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
25	First quarter.....	23	2	Intoxication.
14	Second quarter.....	14	.....	Intoxication.
37	Third quarter.....	36	1	Intoxication.
20	Fourth quarter.....	19	1	Intoxication.
96		92	4	
87	First quarter.....	83	4	Misdemeanor.
36	Second quarter.....	34	2	Misdemeanor.
72	Third quarter.....	70	2	Misdemeanor.
67	Fourth quarter.....	61	6	Misdemeanor.
262		248	14	
6	First quarter.....	6	.....	Petit larceny.
7	Second quarter.....	7	.....	Petit larceny.
6	Third quarter.....	6	.....	Petit larceny.
8	Fourth quarter.....	8	.....	Petit larceny.
27		27	.....
1	First quarter.....	1	.....	Vagrancy.
1	Second quarter.....	1	.....	Vagrancy.
5	Third quarter.....	4	1	Vagrancy.
7	Fourth quarter.....	7	.....	Vagrancy.
14		13	1	

Total, 410 ; men, 390 ; women, 20.

COUNTY OF WARREN

1	First quarter.....	1	.....	..... d degree.
3	Second quarter.....	3	.....	Assault, third degree.
6	Third quarter.....	6	.....	Assault, third degree.
1	Fourth quarter.....	1	.....	Assault, third degree.
11		11	.....
103	First quarter.....	100	3	Intoxication.
83	Second quarter.....	83	.....	Intoxication.
121	Third quarter.....	116	5	Intoxication.
62	Fourth quarter.....	59	3	Intoxication.
360		358	11	
10	First quarter.....	8	2	Misdemeanor.
9	Second quarter.....	7	2	Misdemeanor.
28	Third quarter.....	19	9	Misdemeanor.
9	Fourth quarter.....	9	.....	Misdemeanor.
56		43	13	
4	First quarter.....	4	.....	Petit larceny.
3	Second quarter.....	3	.....	Petit larceny.
5	Third quarter.....	5	.....	Petit larceny.
12		12	.....
2	First quarter.....	2	.....	Vagrancy.
1	Second quarter.....	1	.....	Vagrancy.
3		3	.....

Total, 451 ; men, 427 ; women, 24.

TABLE L — COUNTY OF WASHINGTON

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
2	First quarter.....	2	.....	Assault, third degree.
2	Third quarter.....	2	.....	Assault, third degree.
4		4	.....
48	First quarter.....	48	.....	Intoxication.
10	Second quarter.....	10	.....	Intoxication.
11	Third quarter.....	11	.....	Intoxication.
18	Fourth quarter.....	18	.....	Intoxication.
87		87	.....
5	First quarter.....	5	.....	Misdemeanor.
7	Second quarter.....	7	.....	Misdemeanor.
8	Third quarter.....	6	2	Misdemeanor.
6	Fourth quarter.....	6	.....	Misdemeanor.
26		24	2	
3	First quarter.....	3	.....	Petit larceny.
4	Second quarter.....	4	.....	Petit larceny.
2	Third quarter.....	2	.....	Petit larceny.
9		9	.....
14	First quarter.....	14	.....	Vagrancy.
11	Second quarter.....	11	.....	Vagrancy.
3	Third quarter.....	3	.....	Vagrancy.
28		28	.....

Total, 154 ; men, 152 ; women, 2.

COUNTY OF WAYNE

6	First quarter.....	6	.....	Assault, third degree.
3	Second quarter.....	2	1	Assault, third degree.
3	Third quarter.....	3	.....	Assault, third degree.
2	Fourth quarter.....	2	.....	Assault, third degree.
14		13	1	
34	First quarter.....	34	.....	Intoxication.
19	Second quarter.....	19	.....	Intoxication.
31	Third quarter.....	28	3	Intoxication.
22	Fourth quarter.....	22	.....	Intoxication.
106		103	3	
4	First quarter.....	4	.....	Misdemeanor.
14	Second quarter.....	14	.....	Misdemeanor.
10	Third quarter.....	10	.....	Misdemeanor.
5	Fourth quarter.....	5	.....	Misdemeanor.
33		33	.....
2	First quarter.....	2	.....	Petit larceny.
4	Second quarter.....	4	.....	Petit larceny.
3	Third quarter.....	3	.....	Petit larceny.
3	Fourth quarter.....	3	.....	Petit larceny.
12		12	.....

TABLE L — COUNTY OF WAYNE — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
12	First quarter.....	12	.....	Vagrancy.
4	Second quarter.....	4	.....	Vagrancy.
8	Third quarter.....	8	.....	Vagrancy.
8	Fourth quarter.....	8	.....	Vagrancy.
32		32	.....

Total, 197 ; men, 193 ; women, 4.

COUNTY OF WESTCHESTER

31	First quarter.....	29	2	Assault, third degree.
39	Second quarter.....	37	2	Assault, third degree.
27	Third quarter.....	25	2	Assault, third degree.
20	Fourth quarter.....	15	5	Assault, third degree.
117		106	11	
257	First quarter.....	244	13	Intoxication.
159	Second quarter.....	152	7	Intoxication.
124	Third quarter.....	117	7	Intoxication.
80	Fourth quarter.....	69	11	Intoxication.
620		582	38	
166	First quarter.....	152	14	Misdemeanor.
190	Second quarter.....	165	25	Misdemeanor.
277	Third quarter.....	251	26	Misdemeanor.
367	Fourth quarter.....	345	22	Misdemeanor.
1,000		913	87	
28	First quarter.....	26	2	Petit larceny.
31	Second quarter.....	28	3	Petit larceny.
15	Third quarter.....	15	.....	Petit larceny.
24	Fourth quarter.....	24	.....	Petit larceny.
98		93	5	
44	First quarter.....	42	2	Vagrancy.
34	Second quarter.....	33	1	Vagrancy.
25	Third quarter.....	22	3	Vagrancy.
22	Fourth quarter.....	18	4	Vagrancy.
125		115	10	

Total, 1,960 ; men, 1,809 ; women, 151.

COUNTY OF WYOMING

3	First quarter.....	3	.....	Assault, third degree.
4	Second quarter.....	4	.....	Assault, third degree.
7	Third quarter.....	7	.....	Assault, third degree.
2	Fourth quarter.....	2	.....	Assault, third degree.
16		16	.....
33	First quarter.....	33	.....	Intoxication.
21	Second quarter.....	20	1	Intoxication.
28	Third quarter.....	27	1	Intoxication.
23	Fourth quarter.....	23	.....	Intoxication.
105		103	2	

TABLE L — COUNTY OF WYOMING — (Continued)

Number of convictions	WHEN CONVICTED	Males	Females	OFFENSE
11	First quarter.....	10	1	Misdemeanor.
6	Second quarter.....	4	.....	Misdemeanor.
5	Third quarter.....	5	.....	Misdemeanor.
40	Fourth quarter.....	40	.....	Misdemeanor.
62		61	1	
3	First quarter.....	3	.....	Petit larceny.
3	Second quarter.....	3	.....	Petit larceny.
4	Third quarter.....	4	.....	Petit larceny.
2	Fourth quarter.....	2	.....	Petit larceny.
12		12	.....
3	First quarter.....	3	.....	Vagrancy.
4	Second quarter.....	4	.....	Vagrancy.
2	Third quarter.....	2	.....	Vagrancy.
1	Fourth quarter.....	1	.....	Vagrancy.
10		10	.....
1	Third quarter.....	1	.....	Violation Liquor Tax Law.
1		1	.....

Total, 206 ; men, 203 ; women, 3.

COUNTY OF YATES

2	First quarter.....	2	.....	Assault, third degree.
2	Third quarter.....	2	.....	Assault, third degree.
4		4	.....
13	First quarter.....	12	1	Intoxication.
6	Second quarter.....	6	.....	Intoxication.
35	Third quarter.....	35	.....	Intoxication.
2	Fourth quarter.....	2	.....	Intoxication.
56		55	1	
17	First quarter.....	17	.....	Misdemeanor.
1	Second quarter.....	1	.....	Misdemeanor.
12	Third quarter.....	11	1	Misdemeanor.
1	Fourth quarter.....	1	.....	Misdemeanor.
31		30	1	
3	First quarter.....	3	.....	Petit larceny.
3	Third quarter.....	3	.....	Petit larceny.
1	Fourth quarter.....	1	.....	Petit larceny.
7		7	.....
1	First quarter.....	1	.....	Vagrancy.
6	Third quarter.....	6	.....	Vagrancy.
7		7	.....

Total, 105 ; men, 103 ; women, 2.

TABLE M

Abstract of Table K, in which the whole number of Convictions of Special Sessions in each County during the year is given, the number of Males and Females, and the number of offenses of each description.

COUNTIES	Number reported	Males	Females	Assault, third degree	Intoxication	Misdemeanor	Petit larceny	Vagrants	Violation Liquor Tax Law
Albany.....	1,852	1,731	121	87	664	666	159	276	.....
Allegany.....	107	107	.....	6	61	29	6	5	.....
Bronx.....	621	578	43	29	.....	328	204	.....	60
Broome.....	997	952	45	36	738	154	56	13	.....
Cattaraugus.....	1,222	1,183	39	36	778	319	58	30	.....
Cayuga.....	744	710	34	30	379	300	27	8	1
Chautauque.....	2,127	2,056	71	64	1,369	532	75	87	.....
Chemung.....	2,707	2,600	107	35	1,799	643	71	159	.....
Chemungo.....	323	313	10	6	240	57	7	13	.....
Clinton.....	572	517	55	19	351	156	16	30	.....
Columbia.....	176	162	14	8	107	33	15	13	.....
Cortland.....	656	633	23	16	419	184	21	16	.....
Delaware.....	44	43	1	4	18	13	7	2	.....
Dutchess.....	1,247	1,203	44	66	642	329	67	143	.....
Erie.....	10,044	9,569	475	171	6,422	2,323	365	773	.....
Essex.....	571	557	14	64	404	64	32	7	.....
Franklin.....	708	687	21	27	467	150	21	43	.....
Fulton.....	629	607	22	20	323	263	19	4	.....
Genesee.....	436	422	14	24	160	156	23	73	.....
Greene.....	64	62	2	9	18	20	13	4	.....
Hamilton.....	8	6	2	1	.....	6	.....	1	.....
Herkimer.....	791	761	30	43	468	234	32	14	.....
Jefferson.....	1,187	1,141	46	39	1,014	68	60	6	.....
Kings.....	3,129	2,883	246	453	.....	1,367	944	.....	366
Lewis.....	44	39	5	5	10	22	7	.....	.....
Livingston.....	55	54	1	3	35	4	6	7	.....
Madison.....	689	679	10	4	514	97	9	65	.....
Monroe.....	3,560	3,378	182	184	1,585	1,000	265	526	.....
Montgomery.....	886	865	21	105	170	515	41	55	.....
Nassau.....	2,312	2,185	127	143	339	1,735	74	21	.....
New York.....	5,357	4,764	593	159	.....	2,459	2,220	101	489
Niagara.....	2,900	2,777	123	121	1,701	807	109	166	1
Oneida.....	2,106	2,023	83	83	1,250	492	116	.....	.....

Onondaga.....	1,883	1,688	195	55	813	711	125	179	.....	4
Ontario.....	1,533	1,497	36	25	1,116	278	69	41	.....	1
Orange.....	894	1,812	72	65	439	267	74	38	.....	.....
Orleans.....	275	273	2	11	117	74	25	48	.....	.....
Oswego.....	556	537	19	19	392	45	28	77	.....	.....
Otsego.....	583	566	17	22	410	81	54	13	.....	3
Putnam.....	153	152	1	4	136	9	1	3	.....	.....
Queens.....	444	434	10	49	.....	210	126	.....	.....	59
Rensselaer.....	1,463	1,326	137	35	748	341	66	273	.....	.....
Richmond.....	182	176	6	34	.....	65	75	.....	.....	8
Rockland.....	174	156	18	16	27	102	24	5	.....	.....
St. Lawrence.....	1,237	1,196	41	91	682	341	66	57	.....	.....
Saratoga.....	1,325	1,299	26	27	596	231	39	431	.....	1
Schenectady.....	2,788	2,591	197	121	812	1,490	191	174	.....	.....
Schoharie.....	17	13	4	1	8	3	4	1	.....	.....
Schuylcr.....	21	20	1	1	8	8	4	.....	.....	.....
Seneca.....	160	158	2	7	98	33	8	14	.....	.....
Steuben.....	968	903	65	24	552	319	55	18	.....	.....
Suffolk.....	541	512	29	46	196	213	45	41	.....	.....
Sullivan.....	84	80	4	4	.....	75	5	.....	.....	.....
Tioga.....	100	95	5	1	43	39	5	12	.....	.....
Tompkins.....	244	235	9	8	177	53	6	.....	.....	.....
Ulster.....	410	390	20	11	96	262	27	14	.....	.....
Warren.....	451	427	24	11	369	56	12	3	.....	.....
Washington.....	154	152	2	4	87	26	9	28	.....	.....
Wayne.....	197	193	4	14	106	33	12	32	.....	.....
Westchester.....	1,960	1,809	151	117	620	1,000	98	125	.....	.....
Wyoming.....	206	203	3	16	105	62	12	10	.....	1
Yates.....	105	103	2	4	56	31	7	7	.....	.....
	67,909	64,243	3,726	2,943	31,254	22,073	6,402	4,304		993

SCHEDULE A

Showing the Total Number of Pardons, Commutations of Sentences, Restorations to Citizenship and Respites in Capital Cases in the State since the Year 1846.

YEAR	Pardons	Commu- tations	Restora- tions to citizenship	Respites in capital cases
1847.....	129	2	101	.....
1848.....	139	3	73	.....
1849.....	35	1	7	5
1850.....	62	1	12	.....
1851.....	160	5	48	11
1852.....	186	4	*85	8
1853.....	207	3	37	13
1854.....	249	44	40	3
1855.....	253	91	1	9
1856.....	277	104	2	.....
1857.....	193	3	13	.....
1858.....	233	7	29	2
1859.....	91	8	22	4
1860.....	92	14	52	1
1861.....	66	15	30	.....
1862.....	87	19	32	.....
1863.....	71	5	61	1
1864.....	116	86	61	1
1865.....	131	19	25	3
1866.....	168	24	83	1
1867.....	130	12	47	.....
1868.....	112	37	117	6
1869.....	86	20	99	2
1870.....	85	34	137	1
1871.....	82	29	129	5
1872.....	98	57	158	1
1873.....	44	18	23	3
1874.....	68	22	37	13
1875.....	65	24	70	1
1876.....	99	54	128	8
1877.....	90	21	129	.....
1878.....	107	96	164	1
1879.....	103	107	278	2
1880.....	32	18	18	3
1881.....	.....	17	10	2
1882.....	1	11	12	.....
1883.....	39	17	94	.....
1884.....	37	27	244	.....
1885.....	28	7	195	.....
1886.....	29	19	104	1
1887.....	12	5	90	.....
1888.....	5	34	305	3
1889.....	4	49	82	3
1890.....	9	40	93	.....
1891.....	1	51	138	1
1892.....	1	98	206	.....
1893.....	16	115	126	5
1894.....	19	99	138	3
1895.....	41	93	92	3
1896.....	29	67	90	3
1897.....	29	36	20	1
1898.....	41	9	21	1
1899.....	37	38	30	.....
1900.....	8	29	106	3
1901.....	15	36	66	.....
1902.....	16	25	33	3
1903.....	10	34	48	.....
1904.....	12	27	99	2
1905.....	31	43	56	1
1906.....	22	45	70	5
1907.....	7	19	22	.....
1908.....	.....	13	13	.....
1909.....	7	8	17	1
1910.....	1	10	27	8
1911.....	13	38	152	3
1912.....	11	47	144	3
1913.....	11	31	67	4
1914.....	3	19	94	8
1915.....	8	47	64	10
1916.....	6	46	120	11
1917.....	21	121	146	5

* Including one restoration to military privileges.

SCHEDULE B

Statement Showing the Number of Pardons Granted from October 31, 1916, to November 1, 1917.

Date of pardon	NAME OF CONVICT	Convicted of the crime of	TERM OF SENTENCE		Date of sentence	entenced in county of	To what prison
			Years	Months			
Nov. 29, 1916	Mary Jennings	Murder, second degree	Life	8 mo. min.	Oct. 21, 1901	New York	Auburn prison
Dec. 21, 1916	William J. Cummins	Grand larceny, first degree	4 yrs. 8 mo. min.	8 mo. max.	Nov. 21, 1911	New York	Great Meadow prison
Dec. 22, 1916	Alfred F. Markert	Forgery, second degree	1 yr. 2 mo. min.	2 mo. max.	Mar. 23, 1915	Onondaga	Clinton prison
Dec. 22, 1916	Frank G. Todaro	Blackmail	5 yrs. 6 mo. min.	6 mo. max.	Dec. 8, 1914	Oneida	Great Meadow prison
Feb. 1, 1917	Ethel Byrne	Violation § 80, Penal Law	25	30 days	Jan. 22, 1917	Kings	New York penitentiary
Feb. 21, 1917	Christian Schang	Burglary	10 yrs. min.	120 days	Aug. 7, 1907	Nassau	Danmore State hospital
Feb. 23, 1917	John McCann	Grand larceny, second degree	19 yrs. 9 mo. min.	9 mo. max.	Feb. 17, 1916	New York	New York penitentiary
April 18, 1917	Anthony Tofano	Rape, first degree	10 yrs. min.	120 days	Oct. 1915	Bronx	Clinton State prison
June 4, 1917	Thomas McDewitt	Violation § 1990, Penal Code	10 yrs. min.	120 days	May 18, 1917	Montgomery	Albany county penitentiary
May 24, 1917	John Gardalla	Violation § 1990, Penal Code	10 yrs. min.	120 days	April 1917	Montgomery	Albany county penitentiary
June 4, 1917	Richard Mallory	Violation § 1990, Penal Code	10 yrs. min.	120 days	May 18, 1917	Montgomery	Albany county penitentiary
July 10, 1917	Thomas Carola	Rape, second degree	10 yrs. min.	120 days	Feb. 24, 1917	Monroe	Albany county penitentiary
Aug. 15, 1917	Alonso Musso	Disorderly conduct	10 yrs. min.	120 days	May 31, 1917	Kings	Albany county penitentiary
Sept. 12, 1917		Theft	50 days	jail	July 13, 1913	Jefferson	Sing Sing prison
Sept. 25, 1917		Possessing weapon	1	1	Jan. 20, 1914	New York	Eastern New York reformatory
Sept. 25, 1917	Daniel Hogan	Assault and perjury	3 yrs. 6 mo. min.	6 mo. max.	July 7, 1913	Kings	New York penitentiary
Sept. 25, 1917	Nicholas Brunori	Attempted extortion	3 yrs. 6 mo. min.	6 mo. max.	Feb. 1, 1917	New York	Eastern New York reformatory
Sept. 29, 1917	Edward Marconi, alias Edmund	Rape, 2nd degree	10	10	Sept. 10, 1917	Onondaga	New York penitentiary
Oct. 1, 1917	Clarence Gittens	Disorderly conduct	10	10	Oct. 30, 1906	Kings	Elmira reformatory
Oct. 23, 1917	Anthony Fusco	Grand larceny, second degree	10	10		New York	
Oct. 28, 1917	Ralph G. Barrett	Grand larceny, second degree	Suspended				

* Indefinite; is now serving on last commutation.

SCHEDULE C

Statement Showing Number of Commutations Granted from October 31, 1916, to November 1, 1917.

Date of commutation	NAME OF CONVICT				To what prison	Sentence commuted to
Dec. 4, 1916	Charles F. Steilow...	Murder, first degree	To be executed.	July, 1915, Orleans	...	Sing Sing prison for life.
Dec. 5, 1916	Selig Lavine, alias Morria Kramer.	Burglary, first degree	20 yrs. min., life max.	May, 1910 New York...	Sing Sing prison	Clinton prison for 6 yrs. 6 mos. 22 days min., life max., from May 28, 1910.
Dec. 6, 1916	Anselmo Perrotta...	Murder, second degree	Life	Dec., 1906 Monroe...	Auburn prison	Auburn prison for 10 yrs. min., life max., from Dec. 8, 1906.
Dec. 12, 1916	Joseph Tablinsky, alias etc	Grand larceny, second degree and burglary, third degree	5 yrs. and 5 yrs.	Mar., 1913 New York...	Sing Sing prison	Sing Sing prison for 3 yrs. 1 mo. 14 days min., max 10 yrs., from Nov. 7, 1913.
Dec. 20, 1916	Anna Michael...	Grand larceny, first degree	5 yrs. min., 9 yrs. 6 mos. max	Nov., 1914 New York...	Auburn prison	Auburn prison for 2 yrs. 1 mo. min., 9 yrs. 6 mos. max., from Nov. 29, 1914.
Dec. 23, 1916	Chester Allen...	Burglary, third degree and second offense.	5 yrs. 8 mos.	April, 1915 Jefferson...	Auburn prison	Auburn prison for 1 yr. 8 mos. 5 yrs. 8 mos. April 9, 1915.
Dec. 23, 1916	Thomas Piptone...	Grand larceny, first degree.	3 yrs. min., 6 yrs. max.	Sept., 1914 New York...	Sing Sing prison	Clinton prison for 2 yrs. 6 yrs. max., 2, 1914.
Jan. 16, 1917	Joseph Herman, alias Tony Miller.	Burglary, third degree and grand larceny, second degree	20 yrs.	Dec., 1909 New York...	Clinton prison	Clinton prison for 7 yrs 1 mo., 20 yrs. max., suspension, from 10.
Jan. 16, 1917	George Ward...	Grand larceny, first degree..	2 yrs. 6 mos. min., 4 yrs. 6 mos. max.	Nov., 1915 Saratoga...	Clinton prison	Clinton prison for 1 yr. 10 min., 4 yrs. 6 mos. 17.
Jan. 16, 1917	Anna Doyle.	Manslaughter, second degree	3 yrs. min., 5 yrs. max.	Oct., 1914 New York...	Auburn prison	Clinton prison for 1 yr. 10 min., 4 yrs. 6 mos. 17.
Jan. 16, 1917	Julius Kupfer...	Criminal receiving stolen goods.	2 yrs. 6 mos. min., 4 yrs. 6 mos. max.	Mar., 1915 New York	Clinton prison	Clinton prison for 1 yr. 10 min., 4 yrs. 6 mos. 17.

Jan. 10, 1917	James Fendly or Finlay	Robbery, first degree; second offense.	20 yrs	April, 1906	Niagara	Clinton
Jan. 17, 1917	Henry Hartman	Murder, second degree	Life	Sept., 1906	Hamilton	Clinton
Feb. 21, 1917	John L. Creedon	Murder, second degree	20 yrs. min., life max.	Sept., 1902	Warren	Clinton
Feb. 21, 1917	Lacien Kahn, alias Yves de Villers.	Grand larceny, first degree	2 yrs. 6 mos. min., 3 yrs. 6 mos. max.	Mar., 1915	New York	Sing Sing
Feb. 21, 1917	Milo Smelebie	Murder, second degree	20 yrs. min., life max.	Dec., 1908	Allegany	Auburn
Feb. 21, 1917	Carmens Calvetti	Murder, second degree	20 yrs. min., life max.	Nov., 1901	Schenectady	Clinton
Feb. 21, 1917	Edward H. Hughson	Murder, first degree	Life	Oct., 1896	Albany	Clinton
Feb. 21, 1917	Joseph Scalzo	Manslaughter, second degree	7 yrs. 6 mos. min., 15 yrs. max.	July, 1912	Niagara	Auburn
Feb. 21, 1917	Edward J. Hendry	Murder, second degree	20 yrs. min., life max.	Jan., 1905	New York	Sing Sing
Feb. 21, 1917	Antonio Salumino alias John Dotti	Burglary, third degree and grand larceny, first degree	3 yrs. 1 mo. min., 5 yrs. 7 mos. max., 2 yrs. 7 mos. and 1 yr. 8 mos. min., 9 yrs. 11 mos. max.	April, 1913	Queens	Clinton
Feb. 21, 1917	Joseph Di Pasquale	Robbery, first degree	5 yrs. 7 mos	May, 1916	Erie	Auburn

SCHEDULE C—(Continued)

Date of commutation	NAME OF CONVICT	Crime convicted of	Term of sentence	Date of sentence	Sentenced in county of	To what prison	Sentence commuted to
Feb. 21, 1917	John J. Roban, Jr.	Assault, first degree; second offense.	second 16 yrs.	June, 1910	Steuben	Auburn prison	Auburn prison for 6 yrs. 3 mos. 28 days min., 16 yrs. max., without compensation, from June 14, 1910.
Feb. 21, 1917	Max Gottesfeldt	Attempted burglary, first degree.	11 yrs. min., 12 yrs. max. mos.	June, 1908	New York	Sing Sing prison	Great Meadow prison for 3 yrs. 9 mos. 9 days min., 12 yrs. 11 mos. max., without compensation, from June 3, 1908.
Feb. 21, 1917	Anton Kosela	Perjury	2 yrs. 6 mos. min., 4 yrs. 6 mos. max.	Nov., 1915	Oneida	Auburn prison	Great Meadow prison for 1 yr. 3 mos. 12 days min., 4 yrs. 6 mos. max., without compensation, from Nov. 30, 1915.
Feb. 21, 1917	Richard Larkin	Robbery, first degree	7 yrs. min., 9 yrs. max.	April, 1912	New York	Sing Sing prison	Great Meadow prison for 4 yrs. 10 mos. 19 days min., 9 yrs. max., without compensation, from April 23, 1912.
Feb. 21, 1917	Henry G. Smith	Rape, second degree	3 yrs. min., 5 yrs. max.	Sept., 1915	New York	Sing Sing prison	Great Meadow prison for 1 yr. 6 mos. max., without compensation, from April 23, 1915.
Feb. 21, 1917	Aaron Finkelstein	Robbery, first degree	6 yrs. min., 11 yrs. max. mos.	Feb., 1914	Bronx	Sing Sing prison	Clinton prison for 3 yrs. 15 days min., 11 yrs. 6 mos. max., without compensation, from Feb. 27, 1914.
Feb. 21, 1917	Romeo Magnatli	Murder, second degree	20 yrs. min., life max.	May 1911	Richmond	Sing Sing prison	Clinton prison for 5 yrs. 10 mos. min., life max., without compensation, from May 12, 1911.
Feb. 21, 1917	Edgar C. Burns	Murder, second degree	20 yrs. min., life max.	Dec., 1900	Westchester	Sing Sing prison	Great Meadow prison for 16 yrs. 2 mos. 11 days min., life max., without compensation, from Dec. 31, 1900.

Feb. 21, 1917	John DeBellis	Criminally carrying pistol, second offense.	7 yrs., 9 mos.	Feb., 1914	New York	Sing Sing
Feb. 21, 1917	Carrie Hillsinger	Murder, second degree	20 yrs. min., life max	June, 1901	Otsego	Auburn
Feb. 21, 1917	Samuel Teitelbaum.	Grand larceny, first degree	7 yrs. 6 mos.	June, 1912	New York	Sing Sing
Feb. 21, 1917	Selig Milkowitz ..	Criminally receiving stolen property	2 yrs. min., 3 yrs. 6 mos. max.	Mar., 1916	New York	Sing Sing
Feb. 28, 1917	Daniel Lynch.....	Murder, second degree	20 yrs. min., life max	Feb. 1912	New York	Sing Sing
Mar. 20, 1917	Harry Schaefer.	Murder, second degree	20 yrs. min., life max	Mar., 1914	New York	Sing Sing
Mar. 20, 1917	Austin Tryon	Robbery, first degree	3 yrs. 4 mos. min., 7 yrs. 1 mo. max.	Mar., 1916	Livingston	Auburn
Mar. 20, 1917	Fred Cafaro..	Rape, second degree	5 yrs. min., 10 yrs max.	July, 1914	Bronx	Sing Sing
Mar. 20, 1917	Charles Uebelmesser	Grand larceny, second degree	2 yrs. min., 4 yrs. max	May, 1914	New York	Sing Sing
Mar. 20, 1917	Louis Evans	Arson, third degree	7 yrs. 6 mos. min., 14 yrs. 6 mos max.	Dec., 1912	Kings	Sing Sing
Mar. 20, 1917	Michael Stempone.....	Murder, second degree	20 yrs. min., life max.	Dec., 1908	Cattaraugus	Auburn

SCHEDULE C—(Continued)

Date of commutation
Mar. 20, 1917 I
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Mar. 20, 1917	Abraham Duboff	Criminally receiving stolen property.	1 yr. 6 mos. min., 4 yrs. max.	May, 1916	New York	Sing Sing
Mar. 20, 1917	Charles Price	Robbery, first degree and escape.	9 yrs. min., 9 yrs. 6 mos. max., 4 2 yrs. min., 11 yrs. 6 mos. max.	Feb., 1908 Dec., 1913	Kings and Westchester	Sing Sing
April 17, 1917	Frank P Finnin	Robbery, first degree	10 yrs. min., 20 yrs. max.	April, 1911	New York	Sing Sing
Mar. 20, 1917	Jacob Luben	Forgery, second degree, second offense.	30 yrs.	April, 1916	Kings	Sing Sing
April, 17 1917	Emanuel H. Gold	Arson, third degree	6 yrs.	June, 1914	Kings	Sing Sing
April 17, 1917	Thomas Kerrigan	Murder, first degree	Life	Jan., 1896	New York	Auburn p
April 17, 1917	Thomas Madden	Assault, second degree as first offense.	4 yrs	Aug., 1915	Kings	Sing Sing
April 17, 1917	Anthony Eats	Burglary, first degree	10 yrs. min., 20 yrs. 6 mos. max.	Nov., 1911	New York	Sing Sing
April 17, 1917	Salvatore Raimondo	Murder, second degree	20 yrs. min., life max.	June, 1902	Genesee	Auburn p
April 17, 1917	William Young	Robbery, first degree	1 yr. & 3 yrs. 25 days, first com.	Aug., 1915	New York	New York county

April 17, 1917	Temusto Cecchini . .	Murder, second degree . .	20 yrs min, life max	April, 1907	Orleans	Auburn F
April 17, 1917	John Fisher . . .	Murder, second degree . .	20 yrs. min., life max.	Feb.	1902 New York . .	Sing Sing
April 17, 1917	William A. Wright . .	Murder, second degree . .	20 yrs. min., life max.	May,	1910 Kings . . .	Sing Sing
April 17, 1917	Vincenza Crauso. . .	Murder, second degree . .	20 yrs. min., life max.	June,	1911 Ulster . .	Auburn F
May 15, 1917	Charles E. Patton . .	Burglary, third degree . .	2 yrs 6 mos. min., 3 yrs 6 mos. max.	3 Oct	1913 Erie . .	Auburn F
May 15, 1917	Michael Cerafusa . .	Murder, second degree . .	20 yrs. min., life max	Dec.,	1901 Kings	Sing Sing
May 15, 1917	Samuel Friedman . .	Robbery, first degree; second offense.	31 yrs	Dec.,	1910 New York . .	Sing Sing
May 15, 1917	Edward N. Bates . .	Murder, second degree . .	20 yrs min., life max.	Jan.,	1898 New York . .	Sing Sing
May 15, 1917	Thomas O'Brien . .	Robbery, first degree; second offense.	31 yrs	Dec.,	1910 New York . .	Sing Sing
May 15, 1917	Gaetano Fucarina . .	Murder, second degree	20 yrs. min., life max.	Feb.,	1903 New York . .	Sing Sing
May 15, 1917	Harry Horowitz . . .	Receiving stolen property . . .	1 yr. 6 mos. min, 3 yrs. max.	July,	1916 New York . .	Sing Sing
May 15, 1917	John Holstein	Burglary, 4 convictions	31 yrs	Nov,	1912 Nassau	Sing Sing

SCHEDULE C—(Continued)

Date of commutation	NAME OF CONVICT	Crime convicted of	Term of sentence	Date of sentence	Entered in county of
May 15, 1917	Robert Crosby.....	Murder, second degree.....	20 yrs. min., life max.	Jan., 1916	New York..
May 15, 1917	Frank Kelly.....	Burglary, second degree.....	10 yrs.....	Dec., 1911	New York.
May 15, 1917	Mary M. Hanner.....	Attempted murder, first degree	10 yrs. min., 15 yrs. 6 mos. max.	Dec., 1912	Niagara....
May 15, 1917	Antonio Scipio.....	Assault, second degree.....	2 yrs. min., 5 yrs. max.	July, 1916	New York..
June 28, 1917	William McNamara.....	Murder, first degree.....	To be executed.....	June, 1916	Westchester
June 28, 1917	Elias Jasra.....	Murder, first degree.....	To be executed.....	June, 1916	New York..
July 3, 1917	Nicholas Arnstein.....	Grand larceny, first degree	2 yrs. min., 3 yrs. max.	June, 1915	New York..
July 3, 1917	Ralph Gayton..	Robbery, first degree & assault, second degree as second offense.	32 yrs.....	Mar., 1908	Cattaraugus
July 3, 1917	James Lequire.....	Robbery, first degree.....	20 yrs.....	Mar., 1907	Kings.....
July 3, 1917	Albert Dyer.....	Arson, third degree.....	6 yrs. min., 9 yrs. max.	May, 1912	Onondaga....

July 3, 1917	Jacob Levine	Attempted criminally receiving stolen property.	2 yrs. 6 mos.	May, 1916	Brooklyn	Sing Sing
July 3, 1917	Steven Nemet	Attempted robbery, first degree.	5 yrs. min., 9 yrs. max.	Mar., 1914	New York	Sing Sing
July 3, 1917	Raymond Bell	Grand larceny, first degree.	2 yrs. 6 mos. min., 4 yrs. 8 mos. max.	May, 1914	Erie	Auburn
July 3, 1917	Harry Smolen	Burglary, third degree; second offense.	5 yrs.	Nov., 1911	Monroe	Auburn
July 17, 1917	Thomas C. Smith	Murder, second degree	20 yrs. min., life max.	June, 1904	New York	Sing Sing
July 17, 1917	Ida Abramowitz	Arson, third degree	5 yrs. min. 10 yrs. max.	Oct., 1915	Kings	Auburn
July 17, 1917	Dominick Guglielmo	Criminally receiving stolen property, second offense	9 yrs. 10 mos.	May, 1914	Kings	Sing Sing
July 17, 1917	George Gallagher	Manslaughter, first degree	9 yrs. 6 mos. min., 19 yrs. 6 mos. max.	Nov., 1910	New York	Sing Sing
Aug. 21, 1917	James Palmer	Forgery, second degree & violation § 1694 Penal Law.	2 yrs. 6 mos. & 1 yr.	Apr. & Oct., 1916	Steuben & Cortland	Auburn
Aug. 21, 1917	Frank Tarrantino	Manslaughter, first degree	10 yrs. min., 12 yrs. max.	April, 1909	Richmond	Sing Sing

SCHEDULE C—(Concluded)

Date of commutation	NAME OF CONVICT	Crime convicted of	Term of sentence	Date of sentence	Sentenced in county of	To what
Sept. 25, 1917	Howard W. Burt...	Murder, second degree.....	20 yrs. min., life max.	May, 1898	St. Lawrence	Clinton
Sept. 25, 1917	Frank Oregon.....	Burglary, second degree; second offense.	10 yrs. 4 mos.	July, 1910	Broome...	Auburn
Sept. 25, 1917	James Brown.....	Attempted burglary, second degree	9 yrs. 8 mos.	Sept., 1913	New York	Sing Sing
Sept. 25, 1917	Edward Pares ..	Grand larceny, first degree	5 yrs. min., 10 yrs. max.	Aug., 1913	Kings.....	Sing Sing
Sept. 25, 1917	John Cosetta, ...	Rape, second degree.....	4 yrs. 6 mos. min., 8 yrs. 6 mos. max.	Dec., 1914	New York...	Sing Sing
Sept. 25, 1917	Philip Forsythe.	Robbery, first degree.....	10 yrs. min., 20 yrs. max.	May, 1913	New York.	Sing Sing
Sept. 25, 1917	Lewis W. Walling....	Murder, second degree ..	20 yrs min., life max.	Dec., 1911	Orange ..	Sing Sing
Sept. 25, 1917	Emerson Colburn ..	Sodomy.....	16 yrs.....	April, 1910	Kings.....	Sing Sing

mos. 28 days min., life
 max., without compensa-
 tion, from June 17, 1912.

Sept. 25, 1917	Edmund Mayer...	Arson, second degree.	5 yrs. min., 10 yrs. max.	Nov. 6, 1915	Queens.....	Sing Sing
Sept. 25, 1917	Edson L. Simpson....	Rape, first degree.....	19 yrs. 5 mos.	Oct., 1906	Sullivan.....	Clinton p
Sept. 25, 1917	James E. Liddy	Grand larceny, first degree.	5 yrs. min., 10 yrs. max.	April, 1915	New York...	Sing Sing
Sept. 25, 1917	Antonio Lanza.....	Murder, second degree. .	Life.....	Oct., 1900	New York...	Sing Sing
Oct. 16, 1917	Robert White.....	Grand larceny, first degree...	1 yr. 10 mos.....	Sept., 1916	New York...	Sing Sing
Oct. 16, 1917	Anthony Coles.....	Manslaughter, second degree	7 yrs. min., 15 yrs. max.	Oct., 1912	New York...	Sing Sing
Oct. 16, 1917	Joseph Lemarco, Jr. .	Murder, first degree.....	Life.....	Nov., 1909	Erie.....	Auburn p
Oct. 18, 1917	Hyman Gritshandler .	Attempted burglary, first de- gree, second offense.	42 yrs.....	April, 1908	Kings.	Sing Sing

SCHEDULE D

Statement Showing Names of Persons Restored to all the Rights of Citizens from October 31, 1916, to November 1, 1917.

Date of restoration	NAME	Crime	Sentence	Date of sentence	Prison	County
Dec. 26, 1916	Milton Hatfield	Grand larceny, second degree	1 yr. 9 mos.	Dec. 4, 1899	Clinton prison	Greene.
Dec. 26, 1916	Peter Hudson	Robbery, first degree	17 yrs.	Feb. 26, 1904	Sing Sing prison	New York.
Jan. 17, 1917	Silas James	Grand larceny, second degree and forgery, second degree	1 yr. 3 mos. min., 4 yrs. 3 mos. max., and 1 yr. 6 mos. min., 2 yrs. 6 mos. max.	April 4, 1905 and Nov. 27, 1907	Auburn prison	Eric & Wyoming
Jan. 17, 1917	Bayard Smith	Assault, first degree	4 yrs. 9 mos. min., 9 yrs. 6 mos. max.	Dec. 19, 1910	Sing Sing prison	Kings
Jan. 17, 1917	William N. Perry	Grand larceny, second degree	2 yrs. 7 mos.	June —, 1895	Clinton prison	Franklin.
Jan. 17, 1917	George H. Wilhamsen	Manslaughter, second degree	1 yr. 6 mos. min., 5 yrs. 3 mos. max.	Feb. 21, 1914	Auburn prison	Oswego.
Jan. 17, 1917	Winfield R. Williams	Rape, second degree	2 yrs. min., 4 yrs. max.	May 2, 1913	Auburn prison	Monroe.
Jan. 17, 1917	Martin J. Earley	— — — — —	1 yr. — — — — —	May 19, 1913	New York penitentiary	New York.
Jan. 17, 1917	William Jayne	— — — — —	10 yrs. — — — — —	April —, 1908	Auburn prison	Niagara.
Jan. 17, 1917	John Fields	— — — — —	1 yr. 10 days min., 2 yrs. max.	July 14, 1913	Auburn prison	Herkimer.
Jan. 17, 1917	Lawrence Rogers	Perjury	7 yrs. 6 mos.	April 4, 1906	Sing Sing prison	New York.
Jan. 17, 1917	Elias Bodger	Grand larceny, second degree	1 yr. 4 mos. min., 2 yrs. 8 mos. max.	Feb. 9, 1912	Sing Sing prison	New York.
Jan. 17, 1917	William B. Malone	Burglary, first degree, grand larceny, first degree and criminally receiving stolen property	2 yrs. 6 mos.	June 28, 1912	Auburn prison	Eric.
Jan. 17, 1917	Joseph Cassidy	Violation § 775, Penal Law	1 yr. min., 1 yr. 6 mos. max., and \$1000	Feb. 4, 1914	Sing Sing prison	Queens.
Feb. 14, 1917	Myron Jacobson	Presenting false bills for audit	Fined \$500	July 15, 1910	Auburn prison	Schenectady.
Feb. 14, 1917	Henry Rhymer	Burglary, third degree	2 yrs.	Oct. 31, 1884	New York penitentiary	Onondaga.
Feb. 14, 1917	Harry Buckner	Receiving stolen goods	1 yr.	May 24, 1910	Auburn prison	Kings
Feb. 14, 1917	Antonio P. Monaco	Assault, second degree	1 yr. min., 1 yr. 6 mos. max.	Nov 17, 1914	Auburn prison	Onondaga.
Feb. 14, 1917	Joseph French	Burglary, third degree	1 yr. min., 5 yrs. max.	Oct. 20, 1908	Sing Sing prison	New York
Feb. 14, 1917	Edward Haberberger	Assault, second degree	1 yr. 3 mos. min., 3 yrs. 6 mos. max.	Nov. 27, 1908	Auburn prison	Monroe

Feb. 14, 1917	William Dixon	Receiving stolen property	5 yrs.	Apr. 1, 1907	Auburn prison	Ontario
Feb. 16, 1917	Frank F. Carrigan	Murder, second degree	Life	Mar. 27, 1899	Auburn prison	Essex
Feb. 16, 1917	John Heath	Attempted burglary, third degree	2 yrs. 6 mos.	May 22, 1905	King Sing prison	Kings
Feb. 16, 1917	John G. Weidemeyer	Assault	3 yrs. min., 6 yrs. max.	June 13, 1911	King Sing prison	Kings
Feb. 16, 1917	Antonio Zunno	Abduction and assault	2 yrs. 2 mos.	Nov. 3, 1901	Kings County penitentiary	Queens
Feb. 16, 1917	Jacob M. Bierman	Receiving stolen goods	1 yr. 3 mos. min., 3 yrs. max.	June 4, 1913	King Sing prison	New York
Feb. 16, 1917	David Heldinger	Burglary, third degree	2 yrs. 6 mos.	Aug. 26, 1901	King Sing prison	New York
Feb. 16, 1917	John Olson	Bribery	3 yrs. min., 4 yrs. 6 mos. max.	Feb. 28, 1912	King Sing prison	New York
Feb. 16, 1917	Louis H. Wood	Forgery, third degree	1 yr. min., 3 yrs. 6 mos. max.	Dec. 14, 1914	Auburn prison	Erie
Feb. 16, 1917	John Marsella	Violation § 970, Penal Law	Fined \$75	Nov. 1, 1915	King Sing prison	Kings
Feb. 16, 1917	James R. Clark	Bigamy	1 yr. 3 mos. min., 2 yrs. 6 mos. max.	Nov. 27, 1914	King Sing prison	Kings
Feb. 14, 1917	Giovanni Tamani	Manlaughter, first degree	7 yrs.	Dec. 21, 1900	King Sing prison	New York
Mar. 16, 1917	Thomas A. Purcell	Burglary, third degree	3 yrs.	Mar. 1, 1910	King Sing prison	New York
Mar. 16, 1917	Herman Froelich	Perjury	10 yrs.	Oct. 24, 1904	King Sing prison	New York
Mar. 16, 1917	Edward Golstein	Possessing narcotics	2 yrs. min., 4 yrs. 6 mos. max.	Feb. 9, 1914	King Sing prison	Kings
Mar. 16, 1917	Bert Santimaw	Manlaughter, second degree	3 yrs. min., 7 yrs. max.	Oct. 1, 1912	Clinton prison	St. Lawrence
Mar. 16, 1917	Edward Levy	Being a common gambler	1 yr. and \$500 fine	Nov. 26, 1912	New York penitentiary	New York
Mar. 16, 1917	Floyd R. Dayton	Rape, second degree	6 yrs. min., 8 yrs. max.	April 12, 1900	Auburn prison	Albany
Mar. 16, 1917	John P. Dowling	Forgery, second degree	1 yr. 6 mos. min., 2 yrs. max.	April 24, 1912	Auburn prison	Oneida
Mar. 16, 1917	Louis Nadel	nt of a can-	2 yrs. min., 3 yrs. 6 mos. max.	Feb. 21, 1913	King Sing prison	New York
Mar. 16, 1917	Anton Zeglen		Fined \$1,000	Mar. 3, 1913	King Sing prison	Schenectady
Mar. 16, 1917	Charles Mohl		5 yrs. min., 9 yrs. 6 mos. max.	Feb. 27, 1910	King Sing prison	New York
Mar. 16, 1917	Joseph Smith	Attempted grand larceny, third degree	2 yrs. 6 mos.	Aug. 14, 1891	King Sing prison	New York
Mar. 16, 1917	Charles H. Hauser	Grand larceny, second degree	3 yrs. min., 4 yrs. max.	June 3, 1906	King Sing prison	Kings
Mar. 16, 1917	William J. Kaulbach	Abandonment	1 yr. min., 1 yr. 10 mos. max.	Oct. 28, 1911	King Sing prison	Queens
Mar. 16, 1917	Louis J. Rothstein	Obtaining goods under false pretenses	3 yrs. 6 mos.	Feb. 15, 1905	King Sing prison	New York
Mar. 16, 1917	Fred P. Baker	Being a common gambler	Fined \$200	Mar. 1, 1915	King Sing prison	Oneida
Mar. 16, 1917	Howard L. Monroe	Being a common gambler	Fined \$200	March, 1915	King Sing prison	Oneida
Mar. 16, 1917	George F. Sauter	Grand larceny, second degree	Fined \$2,000	June, 1910	King Sing prison	Schenectady
Mar. 16, 1917	John M. Wellbrock	Grand larceny, first degree	1 yr.	April 26, 1915	New York penitentiary	Kings
Mar. 16, 1917	Harry Gray	Carrying concealed weapons	1 yr. 6 mos. min., 2 yrs. 6 mos. max.	Jan. 23, 1914	King Sing prison	New York

SCHEDULE D—(Continued)

Date of restoration	Name	Crime	Sentence	Date of sentence	Prison	County
Mar. 16, 1917	James Campbell.....	Grand larceny, second degree.....	4 yrs min., 4 yrs. 6 mos. max.	Feb. 17, 1909	Sing Sing prison.....	New York.
Mar. 16, 1917	Walter H. Cragg ..	Grand larceny.....	1 yr. min., 2 yrs. 6 mos. max.	Jan. 25, 1914	Sing Sing prison.....	Kings
Mar. 16, 1917	Thomas C. McNulty ..	Forgery, third degree	1 yr.	Feb. 6, 1913	New York penitentiary.....	New York
Mar. 26, 1917	Thomas J. LaFreniere ..	Grand larceny.....	6 mos.	Feb. 24, 1914	Onondaga Co. penitentiary.....	Onondaga.
April 6, 1917	James G. McCollum...	Grand larceny, second degree	1 yr.	Oct. 6, 1913	New York penitentiary ..	New York.
April 6, 1917	Waverly Stokes.....	Assault, second degree.....	2 yrs min., 3 yrs. max.	June, 1913	Sing Sing prison.....	New York.
April 6, 1917	Frank L. Field.....	" .. e.....	2 yrs. 6 mos.....	Aug. 9, 1892	Sing Sing prison.....	New York.
April 6, 1917	Thomas F. Seery.....	"	1 yr. min., 3 yrs. max.	Mar. 30, 1914	Sing Sing prison.....	New York.
April 6, 1917	Sylvester Starks.....	" .. degree ..	1 yr. min., 2 yrs. max.	Oct. 11, 1902	Clinton prison.....	Washington.
April 6, 1917	James P. Wright.....	"	1 yr 2 mos min., 4 yrs. 4 mos max.	Mar. 29, 1911	Sing Sing prison.....	New York.
April 6, 1917	William J. Chibnall.....	" .. gambler.....	Fined \$50.....	Mar. 14, 1916	"	Herkimer.
April 6, 1917	Michael Appleton.....	"	2 yrs ..	Dec. 19, 1894	Sing Sing prison.....	Richmond.
April 6, 1917	Jacob Seiler.....	", second degree ..	2 yrs. 3 mos. min., 6 yrs. max.	July 9, 1912	Sing Sing prison.....	New York
April 6, 1917	Frank A. Geise, Jr.....	Attempted grand larceny, first degree.....	2 yrs. 6 mos. min., 4 yrs. 6 mos max.	Mar. 3, 1910	Sing Sing prison.....	New York.
May 1, 1917	James J. Gordon ..	Robbery, second degree.....	5 yrs. 3 mos. min., 10 yrs. 6 mos max.	Nov. 15, 1908	Sing Sing prison.....	Kings
May 1, 1917	Frank Zirullo.....	Receiving stolen goods.....	2 yrs. min., 4 yrs. max.	June 1913	Sing Sing prison.....	New York.
May 1, 1917	Rosell W. Mitchell.....	Murder, second degree	Life ..	Feb. 9, 1892	Auburn prison.....	Oneida.
May 1, 1917	Robert Boddie	Assault, second degree.....	2 yrs. min., 4 yrs. max.	Sept. 10, 1912	Clinton prison	Rensselaer.
May 1, 1917	Morris Aronson.....	"	6 mos.	June 17, 1912	New York penitentiary.....	Kings.
May 1, 1917	David Rachlin.....	"	1 yr. and \$1,000 fine ..	Jan. 1913	Sing Sing prison.....	Nassau.
May 1, 1917	Henry J. Miller.....	"	8 yrs. 6 mos.....	Dec. 23, 1891	Sing Sing prison.....	Queens.
May 1, 1917	Maurice J. McGrath...	" degree ..	1 yr. 3 mos min., 2 yrs. 6 mos. max.	Nov. 28, 1911	Sing Sing prison.....	New York.
May 1, 1917	Julius Davidson.....	Receiving stolen property	6 mos and fined \$200 ..	Nov. 19, 1906	Monroe Co penitentiary ..	Monroe.
May 1, 1917	Daniel J. McCarthy...	Grand larceny, second degree.....	2 yrs. min., 5 yrs. max.	May 28, 1912	Sing Sing prison.....	Kings.
May 1, 1917	William Haem, alias William Monroe	Burglary, third degree.....	2 yrs.	Dec. 13, 1904	Sing Sing prison ..	New York.
May 1, 1917	Joseph J. Belmont...	Grand larceny, second degree ..	1 yr 6 mos ..	Mar. 31, 1905	Sing Sing prison ..	New York

May 1, 1917	Abraham Grossky	Receiving stolen property	6 mos	Oct 28, 1910	New York penitentiary	New York.
May 1, 1917	Michael J. Whelan	Bribery	1 yr min., 5 yrs. max	Mar. 18, 1914	Sing Sing prison	New York.
May 1, 1917	Charles A. Weber	Grand larceny	1 yr 6 mos min., 2 yrs 6 mos max.	Mar 13, 1908	Sing Sing prison	New York.
May 1, 1917	George E. Wolfe	Burglary, third degree	9 mos	April 10, 1913	Erie County penitentiary	Erie.
May 1, 1917	Frank W. Richards	Forgery	3 yrs. min., 5 yrs. max.	May 3, 1913	Clinton prison	Rensselaer.
May 25, 1917	Julian E. Blum		8 mos	Oct. 9, 1915	New York penitentiary	Nassau.
May 25, 1917			3 mos and \$1,000 fine.	Dec. 6, 1915	New York penitentiary	Kings.
May 25, 1917			4 yrs. 6 mos.	April 26, 1895	Sing Sing prison	Kings.
May 25, 1917			2 yrs. 6 mos.	April 25, 1912	Auburn prison	Monroe.
May 25, 1917	William Spiedel	1 degree	1 yr 5 mos. min., 4 yrs 9 mos. max.	Nov. 9, 1915	Auburn prison	Erie.
May 25, 1917	John J. McArthur		1 yr min., 5 yrs. max.	May 26, 1910	Sing Sing prison	New York.
May 25, 1917			3 yrs	May 26, 1897	Sing Sing prison	New York.
May 25, 1917			7 yrs 6 mos	Sept. 30, 1894	Sing Sing prison	New York.
May 25, 1917			1 yr 2 mos	Nov	Sing Sing prison	New York.
May 25, 1917			4 yrs; 8 yrs. 6 mos.	April 28, 1897	Sing Sing prison	New York.
				Oct. 2, 1903		
May 26, 1917	Louis J. Helbig	Grand larceny, second degree	1 yr	Dec. 4, 1903	Sing Sing prison	New York.
May 25, 1917		Burglary, third degree	1 yr 3 mos. min., 2 yrs 6 mos. max.	Feb. 11, 1910	Sing Sing prison	New York.
May 25, 1917	Charles L. Duballer	Bribery	2 yrs 6 mos. min., 4 yrs 6 mos. max.	Mar 27, 1914	Sing Sing prison	New York.
May 25, 1917	Augustus Margraf	Attempted rape, first degree	3 yrs min., 5 yrs. max.	May 9, 1911	Sing Sing prison	New York.
July 10, 1917	Gabriel De Maie	Assault, second degree	1 yr. 2 mos. min., 2 yrs. 4 mos. max.	June 3, 1915	Sing Sing prison	New York.
July 10, 1917	William D. Parkinson	Assault, first degree	4 yrs 6 mos.	June 22, 1900	Sing Sing prison	Kings.
July 10, 1917	John J. Doherty	Bigamy	1 yr. 5 mos	Nov. 12, 1909	Sing Sing prison	New York.
July 10, 1917	Ruben O. Currie	Grand larceny, second degree	2 yrs. 6 mos. min., 5 yrs. max.	April 11, 1911	Sing Sing prison	New York.
July 10, 1917		Abandonment	1 yr and fined \$1000	April 17, 1914	New York penitentiary	New York.
July 10, 1917		Manlaughter, second degree	6 yrs 4 mos.	Dec. 6, 1901	Auburn prison	Erie.
July 10, 1917		Grand larceny	1 yr min., 3 yrs max	May 1, 1913	Clinton prison	Albany
July 10, 1917		Grand larceny	1 yr	Mar. 10, 1913	New York penitentiary	Kings.
July 10, 1917		Forgery	1 yr	April 22, 1912	New York penitentiary	New York.
July 10, 1917			2 yrs 6 mos.	June 21, 1899	Sing Sing prison	New York.
July 10, 1917			1 yr 9 mos.	April 4, 1894	Sing Sing prison	New York.
July 10, 1917			3 yrs.	May 19, 1903	Sing Sing prison	New York.
July 10, 1917			20 yrs min., life max	Oct. 12, 1894	Auburn prison	Erie
July 10, 1917			1 yr. min., 3 yrs max.	Dec 10, 1903	Auburn prison	Erie.
Sept. 11, 1917			5 yrs. and fined \$1000	Jan. 3, 1900	Sing Sing prison	New York.
Sept 11, 1917			2 yrs. min., 4 yrs max.	July 25, 1908	Sing Sing prison	New York.

SCHEDULE D—(Concluded)

Date of restoration	NAME	Crime	Sentence	Date of sentence	Prison	County
Sept. 11, 1917	Fred Miller.....	Burglary, third degree and grand larceny, second degree.	1 yr. min., 1 yr. 6 mos. max.	Mar. 2, 1908	Clinton prison.....	Saratoga.
Sept. 11, 1917	Salvatore Faso.....	Manslaughter, first degree.....	5 yrs. 2 mos. min., 12 yrs. 2 mos. max.	Mar. 30, 1905	Auburn prison.....	Eric.
Sept. 11, 1917	August Luckman.....	Forgery.....	1 yr. 4 mos. min., 3 yrs. max.	Nov. 1908	Auburn prison.....	Niagara.
Sept. 11, 1917	George Dougherty.....	Murder, second degree.....	Life.....	April 26, 1895	Sing Sing prison.....	New York.
Sept. 11, 1917	Jacob Dubois.....	Robbery.....	4 yrs. 6 mos. min., 9 yrs. max.	July 18, 1910	Sing Sing prison.....	Rockland.
Sept. 11, 1917	Edward F. Titterton.....	Manslaughter, second degree.....	12 yrs. 6 mos.....	May, 1891	Sing Sing prison.....	New York.
Sept. 11, 1917	George E. Richards.....	Arson.....	1 yr. 6 mos. min., 3 yrs. max.	July 27, 1914	Auburn prison.....	Wyoming.
Sept. 11, 1917	Alexander W. Aiken.....	Grand larceny, second degree.....	2 yrs. 6 mos. min., 3 yrs. 6 mos. max.	Dec. 10, 1910	Sing Sing prison.....	New York.
Sept. 11, 1917	George Hartney.....	Seduction.....	5 yrs.....	Mar. 26, 1900	Sing Sing prison.....	Westchester.
Sept. 11, 1917	John C. Miller.....	Abandonment of children.....	1 yr. min., 1 yr. 6 mos. max.	Mar. 29, 1915	Sing Sing prison.....	Queens.
Sept. 11, 1917	Augustus Hack.....	Assault.....	1 yr. 6 mos. min., 1 yr. 11 mos. max.	Feb. 23, 1910	Clinton prison.....	Greene.
Sept. 11, 1917	Broughton Brandenbury.	Forgery, second degree.....	2 yrs. min., 4 yrs. 6 mos. max.	April 26, 1911	Sing Sing prison.....	New York.
Sept. 11, 1917	Theodore D. Hess.....	Kidnapping.....	14 yrs. 5 mos.....	Sept. 7, 1907	Sing Sing prison.....	New York.
Sept. 11, 1917	Peter Fabiano.....	Assault, first degree.....	12 yrs. min., 18 yrs. 6 mos. max.	Dec. 17, 1907	Auburn prison.....	Oneida.
Sept. 11, 1917	William Clifford.....	Attempted rape.....	1 yr. min., 2 yrs. max.	June 16, 1914	Sing Sing prison.....	Nassau.
Sept. 24, 1917	Horace V. Pike.....	Violation § 1746, Penal Law.....	2 yrs. min., 4 yrs. max.	May 5, 1915	Clinton prison.....	Albany.
Oct. 8, 1917	George H. Minfield.....	Assault, second degree.....	1 yr. min., 1 yr. 6 mos. max.	Mar. 28, 1908	Sing Sing prison.....	Queens.
Oct. 8, 1917	Oliver M. Peacock.....	Assault, second degree.....	2 yrs. 6 mos. min., 4 yrs. 6 mos. max.	Feb. 4, 1913	Sing Sing prison.....	New York.
Oct. 8, 1917	Emil H. Neumer.....	Bigamy.....	4 yrs. 9 mo.....	April 19, 1910	Sing Sing prison.....	Kings.
Oct. 8, 1917	Frank B. Rogers.....	Robbery, third degree.....	7 yrs. 6 mos.....	June 27, 1910	Sing Sing prison.....	Kings.
Oct. 8, 1917	Anthony Chadwick.....	Destroying property.....	4 yrs. min., 7 yrs. max.	May 27, 1909	Clinton prison.....	Warren.
Oct. 8, 1917	Joseph E. Topper.....	Attempted extortion.....	2 yrs. 6 mos. min., 5 yrs. max.	May 20, 1914	Sing Sing prison.....	New York.

Oct. 8, 1917	Joseph E. Martin.....	Rape, second degree.....	8 mos.	June 5, 1914	Essex County jail.....	Essex.
Oct. 18, 1917	Judson J. Price.....	Rape, second degree and abduction	2 yrs. min., 5 yrs. max.	June 25, 1906	Clinton prison.....	St. Lawrence.
Oct. 18, 1917	George A. Overt.....	Grand larceny, second degree.....	3 yrs. 10 mos.	Nov. 17, 1914	Clinton prison.....	Ulster.
Oct. 23, 1917	Francis H. Miller.....	Grand larceny.....	1 yr.	June 14, 1916	New York penitentiary.....	Kings.
Oct. 23, 1917	Louis Elefante.....	Assault.....	3 yrs. and fined \$500	Dec. 18, 1908	Auburn prison.....	Oneida.
Oct. 23, 1917	Michael E. Casey.....	Being a common gambler.....	Fined \$200.....	Nov. 30, 1915	.....	Oneida.
Oct. 23, 1917	Christian Funk.....	Extortion.....	3 yrs. min., 3 yrs. 6 mos. max.	Feb. 17, 1914	Sing Sing prison.....	New York.
Oct. 23, 1917	William Bridges.....	Assault.....	2 yrs. min., 5 yrs. max.	May 25, 1909	Sing Sing prison.....	New York.
Oct. 23, 1917	Herbert A. Garlock.....	Perjury.....	1 yr. 1 mo.....	June, 1898	Auburn prison.....	Herkimer.
Oct. 26, 1917	Edward E. Britton.....	Grand larceny, first degree.....	1 yr. 2 mo. min., 4 yrs. 6 mo. max.	Mar. 8, 1909	Sing Sing prison.....	Kings.

SCHEDULE E

Statement Showing Number of Respites Granted from October 31, 1916, to November 1, 1917.

Date of respite	NAME OF CONVICT	Crime convicted of	Date of conviction	County	Sentence	Respite
April 12, 1917	Frank Ferrara	Murder, first degree	April, 1916	New York	Death penalty	Until week beginning June 18, 1917.
April 18, 1917		Murder, first degree	Jan., 1916	New York	Death penalty	Until week beginning May 14, 1917.
June 18, 1917		Murder, first degree	April, 1916	New York	Death penalty	Until week beginning August 20, 1917.
Aug. 15, 1917		Murder, first degree	April, 1916	New York	Death penalty	Until week beginning Oct. 22, 1917.
Oct. 17, 1917		Murder, first degree	April, 1916	New York	Death penalty	Until week beginning Jan. 21, 1918.

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